



# Code of Federal Regulations

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## 3

**2008 Compilation**

**and**

**Parts 100–102**

Revised as of January 1, 2009

## The President

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# Title 3 Compilations

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Beginning with 1976, Title 3 compilations also include regulations contained in Chapter I, Executive Office of the President.

Supplementary publications include: Presidential documents of the Hoover Administration (two volumes), Proclamations 1870–2037 and Executive Orders 5076–6070; Consolidated Indexes for 1936–1965; and Consolidated Tables for 1936–1965.

## Explanation

The Code of Federal Regulations is a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. The Code is divided into 50 titles which represent broad areas subject to Federal regulation. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas.

Each volume of the Code is revised at least once each calendar year and issued on a quarterly basis approximately as follows:

Title 1 through Title 16.....	as of January 1
Title 17 through Title 27.....	as of April 1
Title 28 through Title 41.....	as of July 1
Title 42 through Title 50.....	as of October 1

The appropriate revision date is printed on the cover of each volume.

### LEGAL STATUS

The contents of the Federal Register are required to be judicially noticed (44 U.S.C. 1507). The Code of Federal Regulations is prima facie evidence of the text of the original documents (44 U.S.C. 1510).

### HOW TO USE THE CODE OF FEDERAL REGULATIONS

The Code of Federal Regulations is kept up to date by the individual issues of the Federal Register. These two publications must be used together to determine the latest version of any given rule.

To determine whether a Code volume has been amended since its revision date (in this case, January 1, 2009), consult the “List of CFR Sections Affected (LSA),” which is issued monthly, and the “Cumulative List of Parts Affected,” which appears in the Reader Aids section of the daily Federal Register. These two lists will identify the Federal Register page number of the latest amendment of any given rule.

### EFFECTIVE AND EXPIRATION DATES

Each volume of the Code contains amendments published in the Federal Register since the last revision of that volume of the Code. Source citations for the regulations are referred to by volume number and page number of the Federal Register and date of publication. Publication dates and effective dates are usually not the same and care must be exercised by the user in determining the actual effective date. In instances where the effective date is beyond the cut-off date for the Code a note has been inserted to reflect the future effective date. In those instances where a regulation published in the Federal Register states a date certain for expiration, an appropriate note will be inserted following the text.

### OMB CONTROL NUMBERS

The Paperwork Reduction Act of 1980 (Pub. L. 96-511) requires Federal agencies to display an OMB control number with their information collection request.

Many agencies have begun publishing numerous OMB control numbers as amendments to existing regulations in the CFR. These OMB numbers are placed as close as possible to the applicable recordkeeping or reporting requirements.

#### OBSOLETE PROVISIONS

Provisions that become obsolete before the revision date stated on the cover of each volume are not carried. Code users may find the text of provisions in effect on a given date in the past by using the appropriate numerical list of sections affected. For the period before January 1, 2001, consult either the List of CFR Sections Affected, 1949–1963, 1964–1972, 1973–1985, or 1986–2000, published in 11 separate volumes. For the period beginning January 1, 2001, a “List of CFR Sections Affected” is published at the end of each CFR volume.

#### CFR INDEXES AND TABULAR GUIDES

A subject index to the Code of Federal Regulations is contained in a separate volume, revised annually as of January 1, entitled CFR INDEX AND FINDING AIDS. This volume contains the Parallel Table of Statutory Authorities and Agency Rules (Table I). A list of CFR titles, chapters, and parts and an alphabetical list of agencies publishing in the CFR are also included in this volume.

An index to the text of “Title 3—The President” is carried within that volume.

The Federal Register Index is issued monthly in cumulative form. This index is based on a consolidation of the “Contents” entries in the daily Federal Register.

A List of CFR Sections Affected (LSA) is published monthly, keyed to the revision dates of the 50 CFR titles.

#### REPUBLICATION OF MATERIAL

There are no restrictions on the republication of textual material appearing in the Code of Federal Regulations.

#### INQUIRIES

For a legal interpretation or explanation of any regulation in this volume, contact the issuing agency. The issuing agency’s name appears at the top of odd-numbered pages.

For inquiries concerning CFR reference assistance, call 202-741-6000 or write to the Director, Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408 or e-mail [fedreg.info@nara.gov](mailto:fedreg.info@nara.gov).

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#### ELECTRONIC SERVICES

The full text of the Code of Federal Regulations, the LSA (List of CFR Sections Affected), The United States Government Manual, the Federal Register, Public Laws, Public Papers, Weekly Compilation of Presidential Documents and the Privacy Act Compilation are available in electronic format at [www.gpoaccess.gov/nara](http://www.gpoaccess.gov/nara) (“GPO Access”). For more information, contact Electronic Information Dissemination Services, U.S. Government Printing Office. Phone 202-512-1530, or 888-293-6498 (toll-free). E-mail, [gpoaccess@gpo.gov](mailto:gpoaccess@gpo.gov).

The Office of the Federal Register also offers a free service on the National Archives and Records Administration's (NARA) World Wide Web site for public law numbers, Federal Register finding aids, and related information. Connect to NARA's web site at *www.archives.gov/federal\_\_register*. The NARA site also contains links to GPO Access.

RAYMOND A. MOSLEY,  
*Director,*  
*Office of the Federal Register.*

*January 1, 2009.*





# Explanation of This Title

This volume of “Title 3—The President” contains a compilation of Presidential documents and a codification of regulations issued by the Executive Office of the President.

The 2008 Compilation contains the full text of those documents signed by the President that were required to be published in the *Federal Register*. Signature date rather than publication date is the criterion for inclusion. With each annual volume, the Presidential documents signed in the previous year become the new compilation.

Chapter I contains regulations issued by the Executive Office of the President. This section is a true codification like other CFR volumes, in that its contents are organized by subject or regulatory area and are updated by individual issues of the *Federal Register*.

Presidential documents in this volume may be cited “3 CFR, 2008 Comp.” Thus, the preferred abbreviated citation for Proclamation 8215 appearing on page 1 of this book, is “3 CFR, 2008 Comp., p. 1.” Chapter I entries may be cited “3 CFR.” Thus, the preferred abbreviated citation for section 100.1, appearing in chapter I of this book, is “3 CFR 100.1.”

This book is one of the volumes in a series that began with Proclamation 2161 of March 19, 1936, and Executive Order 7316 of March 13, 1936, and that has been continued by means of annual compilations and periodic cumulations. The entire Title 3 series, as of January 1, 2009, is encompassed in the volumes listed on page iv.

For readers interested in proclamations and Executive orders prior to 1936, there is a two-volume set entitled *Proclamations and Executive Orders, Herbert Hoover* (March 4, 1929, to March 4, 1933). Codified Presidential documents are published in the *Codification of Presidential Proclamations and Executive Orders* (April 13, 1945—January 20, 1989). Other public Presidential documents not required to be published in the *Federal Register*, such as speeches, messages to Congress, and statements, can be found in the *Weekly Compilation of Presidential Documents* and the *Public Papers of the Presidents* series. Each of these Office of the Federal Register publications is available for sale from the Superintendent of Documents, Government Printing Office, Washington, DC 20402.

This book was prepared in the Presidential Documents and Legislative Division under the supervision of Gwendolyn J. Henderson. Michael J. Forcina was the Chief Editor.



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Cite Presidential documents in this volume  
**3 CFR, 2008 Comp.**  
thus: **3 CFR, 2008 Comp., p. 1**

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Cite chapter I entries in this volume  
**3 CFR**  
thus: **3 CFR 100.1**

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# 2008 Compilation— Presidential Documents

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## PROCLAMATIONS

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**Proclamation 8215 of January 14, 2008**

### **Religious Freedom Day, 2008**

*By the President of the United States of America  
A Proclamation*

Thomas Jefferson counted the freedom of worship as one of America's greatest blessings. He said it was "a liberty deemed in other countries incompatible with good government, and yet proved by our experience to be its best support." On Religious Freedom Day, we celebrate the 1786 passage of the Virginia Statute for Religious Freedom.

The freedom to worship according to one's conscience is one of our Nation's most cherished values. It is the first protection offered in the Bill of Rights: that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." In America, people of different faiths can live together united in peace, tolerance, and humility. We are committed to the proposition that as equal citizens of the United States of America, all are free to worship as they choose.

In an era during which an unprecedented number of nations have embraced individual freedom, we have also witnessed the stubborn endurance of religious repression. Religious freedom belongs not to any one nation, but to the world, and my Administration continues to support freedom of worship at home and abroad. On Religious Freedom Day and throughout the year, we recognize the importance of religious freedom and the vital role it plays in spreading liberty and ensuring human dignity.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim January 16, 2008, as Religious Freedom Day. I call on all Americans to reflect on the great blessing

**Proc. 8216**

**Title 3—The President**

of religious liberty, endeavor to preserve this freedom for future generations, and commemorate this day with appropriate events and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of January, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8216 of January 16, 2008**

**Martin Luther King, Jr., Federal Holiday, 2008**

*By the President of the United States of America  
A Proclamation*

Dr. Martin Luther King, Jr., changed our Nation forever through his leadership, service, and clarity of vision. On the Martin Luther King, Jr., Federal Holiday, we honor the lasting legacy of this great American, remember the ideals for which he fought, and recommit ourselves to ensuring that our country's promise extends to all Americans across this great land.

In the brief time Dr. King walked upon this earth, he devoted his life to strengthening the content of the American character and called on our Nation to live up to its founding principles of life, liberty, and the pursuit of happiness for all its citizens. Dr. King's faith in the Almighty gave him the courage to confront discrimination and segregation, and he preached that all the powers of evil are ultimately no match for even one individual armed with eternal truths. Through his determination, spirit, and resolve, Dr. King helped lift souls and lead one of the greatest movements for equality and freedom in history.

Our Nation has made progress toward realizing Dr. King's dream, yet the work to achieve liberty and justice for all is never-ending. In July of 2006, I was honored to sign the "Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006," to renew the Voting Rights Act of 1965 and reaffirm our commitment to securing the voting rights of all Americans. My Administration will continue to protect the rights won through the sacrifice of Dr. King and other civil rights leaders, and our country will never rest until equality is real, opportunity is universal, and all citizens are empowered to realize their dreams.

As we observe Dr. King's birthday, I encourage all Americans to celebrate his memory by performing acts of kindness through service to others. Let us live out Dr. King's teachings as we continue to work for the day when the dignity and humanity of every person is respected.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim January 21, 2008, as the Martin Luther King, Jr., Federal Holiday. I encourage all Americans to observe this day with appropriate civic, community, and service programs and activities in honor of Dr. King's life and legacy.



**Proclamations**

**Proc. 8217**

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of January, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8217 of January 18, 2008**

**National Sanctity of Human Life Day, 2008**

*By the President of the United States of America*

*A Proclamation*

On National Sanctity of Human Life Day, we recognize that each life has inherent dignity and matchless value, and we reaffirm our steadfast determination to defend the weakest and most vulnerable members of our society.

America was founded on the belief that all men are created equal and have an inalienable right to life, liberty, and the pursuit of happiness, and our country remains committed to upholding that founding principle. Since taking office, I have signed legislation to help protect life at all stages, and my Administration will continue to encourage adoption, fund abstinence education and crisis pregnancy programs, and support faith-based groups. Today, as our society searches for new ways to ease human suffering, we must pursue the possibilities of science in a manner that respects the sacred gift of life and upholds our moral values.

Our Nation has made progress in its efforts to protect human life, and we will strive to change hearts and minds with compassion and decency. On National Sanctity of Human Life Day and throughout the year, we help strengthen the culture of life in America and work for the day when every child is welcomed in life and protected in law.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Sunday, January 20, 2008, as National Sanctity of Human Life Day. I call upon all Americans to recognize this day with appropriate ceremonies and to underscore our commitment to respecting and protecting the life and dignity of every human being.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of January, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proc. 8218**

**Title 3—The President**

**Proclamation 8218 of January 28, 2008**

**National African American History Month, 2008**

*By the President of the United States of America  
A Proclamation*

During National African American History Month, we honor the achievements and celebrate the rich heritage of African Americans.

Throughout our Nation's history, African Americans from all walks of life have offered their talents to the betterment of American society. Scholars such as Frederick Douglass and W.E.B. DuBois were early leaders who placed great importance on educating all people about the need for justice and racial equality. Athletes such as Jackie Robinson and Althea Gibson persevered while breaking the color barrier and competing at the highest levels of sports. Musicians like Nat King Cole and Billie Holiday lifted the American spirit with their creativity and musical gifts. Through their extraordinary accomplishments, these leaders helped bring our Nation closer to fulfilling its founding ideals.

This year's theme, "Carter G. Woodson and the Origins of Multiculturalism," honors an educator who taught his fellow citizens about the traditions and contributions of African Americans. His dedication to educating Americans about cultural diversity initiated this celebration of African-American history. Our Nation is now stronger and more hopeful because generations of leaders like him have worked to help America live up to its promise of equality and the great truth that all of God's children are created equal.

Throughout African American History Month, we celebrate the many contributions African Americans have made to our Nation, and we are reminded of their courage in their struggle to change the hearts and minds of our citizens. While much progress has been made, we must continue to work together to achieve the promise and vision of our great Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim February 2008 as National African American History Month. I call upon public officials, educators, and all the people of the United States to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of January, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8219 of January 28, 2008**

**Sixth Anniversary of USA Freedom Corps, 2008**

*By the President of the United States of America  
A Proclamation*

People across this great Nation have heard the universal call to love a neighbor and are using their time and talents to make a difference in the lives of others. On the sixth anniversary of the USA Freedom Corps, we celebrate the spirit of service in America and honor the volunteers whose good work represents the generous character of our country.

After the terrorist attacks of September 11, 2001, I created the USA Freedom Corps to build on the countless acts of service, sacrifice, and generosity undertaken by our citizens. The USA Freedom Corps is dedicated to expanding volunteer service and extending the goodwill of the American people across our country and around the globe. By connecting individuals with volunteer opportunities, the USA Freedom Corps has helped ensure that millions of people have a chance to make a difference in the lives of those in need. The USA Freedom Corps also helps strengthen the non-profit sector and supports other national service programs and initiatives such as the Peace Corps, Citizen Corps, AmeriCorps, and Senior Corps. These efforts can help us build a more hopeful country and create a chain of compassion for generations to come.

Volunteers demonstrate kindness and touch lives. With hard work and dedication, volunteers help the less fortunate, respond to crises, mentor children, assist the elderly, and strengthen our communities. I urge all Americans to serve others and to learn more about service opportunities by visiting the USA Freedom Corps website at [volunteer.gov](http://volunteer.gov). By providing help and hope to others, Americans can lead the world toward a more caring and compassionate tomorrow.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim January 29, 2008, as the Sixth Anniversary of the USA Freedom Corps. I call upon the citizens of this great country to find ways to volunteer and to use their time, energy, and talents to help their fellow Americans, and I commend the efforts of the USA Freedom Corps and all those who answer the call to serve.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of January, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8220 of February 1, 2008

**American Heart Month, 2008***By the President of the United States of America  
A Proclamation*

Heart disease is the number one killer of both men and women in the United States. As we observe American Heart Month, we renew our commitment to raising awareness of the serious impact of cardiovascular disease, and we encourage all citizens to take steps to help prevent it.

By exercising regularly, avoiding tobacco, limiting consumption of alcohol, following a nutritious diet, and monitoring high blood cholesterol and high blood pressure, we all can work to decrease the chances of developing cardiovascular disease. I urge all Americans to take advantage of regular screenings and consult their doctors about how to reduce their personal risk for heart disease.

In 2002, the National Heart, Lung, and Blood Institute, coordinating with other Federal agencies and national organizations, established the national campaign “The Heart Truth” to raise awareness among women of the dangers of cardiovascular disease. Today, more Americans are aware that it is the leading cause of death. The National Ambassador of “The Heart Truth” campaign, First Lady Laura Bush, continues to lead the Federal Government’s efforts to send the urgent message to women about their risk for heart disease. Through this campaign, millions of women across the country have come to recognize the red dress as an important reminder to make healthy choices for their heart and encourage others to do the same.

During American Heart Month, we express our gratitude to the dedicated medical professionals, researchers, and others whose tireless efforts help save lives and make a difference for countless Americans. As we work together to fight this deadly disease, we recognize that every person can take action to reduce his or her risk for heart disease and make the decision to live a healthier life.

In acknowledgement of the importance of the ongoing fight against cardiovascular disease, the Congress, by Joint Resolution approved December 30, 1963, as amended (77 Stat. 843; 36 U.S.C. 101), has requested that the President issue an annual proclamation designating February as “American Heart Month.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim February 2008 as American Heart Month, and I invite all Americans to participate in National Wear Red Day on February 1, 2008. I also invite the Governors of the States, the Commonwealth of Puerto Rico, officials of other areas subject to the jurisdiction of the United States, and the American people to join me in recognizing and reaffirming our commitment to fighting cardiovascular disease.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of February, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8221 of February 28, 2008**

**American Red Cross Month, 2008**

*By the President of the United States of America  
A Proclamation*

In 1881, Clara Barton established the American Red Cross, and for years afterward, she led that organization in its noble cause to provide healing, comfort, and hope to those in need. Today, her legacy lives on through the millions of individuals who have answered the timeless call to serve others. During American Red Cross Month, we honor this charitable organization, and we reflect on its remarkable achievements and contributions to our country.

The American Red Cross exemplifies the good heart of this Nation by leading humanitarian efforts at home and around the world. This past year the American Red Cross provided food, comfort, and medical assistance to the victims of the tragic bridge collapse in Minnesota, the devastating wildfires in California, and the tornadoes that affected several Southern States. From the mountains of Peru to the lowlands of Bangladesh, the American Red Cross and its partners helped to provide relief abroad to those affected by natural disasters and humanitarian emergencies.

The American Red Cross also helps provide vital assistance by organizing blood drives, teaching health and safety programs, and providing lifesaving supplies. By compassionately supporting our men and women in uniform and their families, it helps to lift the spirits of our wounded warriors. During this month, we send our heartfelt gratitude to the volunteers and staff of the American Red Cross.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America and Honorary Chairman of the American Red Cross, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 2008 as American Red Cross Month. I commend the dedicated efforts of the American Red Cross, and I encourage all Americans to help make our world a better place by volunteering their time, energy, and talents for others.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8222 of February 28, 2008**

**Save Your Vision Week, 2008**

*By the President of the United States of America  
A Proclamation*

Early diagnosis and proper treatment of eye disease can help preserve the gift of sight. During Save Your Vision Week, we encourage Americans to receive routine vision screenings and to understand the importance of keeping their eyes healthy and safe.

Today, millions of Americans live with some form of eye disease, such as glaucoma, corneal disease, macular degeneration, or diabetic eye disease. Individuals can help to avoid these diseases and maintain healthy eyes by following good eating habits, using appropriate protective eyewear, and maintaining a healthy lifestyle. Citizens should discuss with their physician the dangers of eye disease and see that their children are tested before their first year of school.

My Administration will continue to seek better ways to prevent and treat eye diseases. The National Eye Institute's website, [www.nei.nih.gov](http://www.nei.nih.gov), provides many resources to help Americans find information on eye disease and on where to find local eye-care professionals. By being proactive, Americans can help prevent vision loss and live healthier lives.

The Congress, by joint resolution approved December 30, 1963, as amended (77 Stat. 629; 36 U.S.C. 138), has authorized and requested the President to proclaim the first week in March of each year as "Save Your Vision Week."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim March 2 through March 8, 2008, as Save Your Vision Week. I encourage all Americans to learn more about eye care and eye safety and to take measures to help ensure a lifetime of healthy vision.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8223 of February 29, 2008**

**Irish-American Heritage Month, 2008**

*By the President of the United States of America  
A Proclamation*

Since the earliest days of our Republic, Irish Americans have enriched our culture with their faith, values, and hard work. During the month of March, we celebrate the contributions of Americans who trace their ancestry back to Ireland's shores.

**Proclamations**

**Proc. 8224**

Many of the sons and daughters of Erin came to America fleeing famine and poverty. They came with dreams of opportunity, and they helped to build our democracy and advance the cause of liberty. Irish Americans in all walks of life have made lasting contributions to our Nation, and we honor the service of Irish Americans in America's Armed Forces. Throughout our history, those claiming Irish ancestry have helped shape and strengthen America, including as signers of the Declaration of Independence and as Presidents of the United States.

This month, we celebrate the patriotic and proud people who originated from the Emerald Isle and who have played a vital role in the story of this Nation of immigrants.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 2008 as Irish-American Heritage Month. I call upon all Americans to observe this month by celebrating the contributions of Irish Americans to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of February, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8224 of February 29, 2008**

**National Consumer Protection Week, 2008**

*By the President of the United States of America  
A Proclamation*

As we face new challenges in the 21st century, we must work to ensure that Americans are kept safe in the marketplace. During National Consumer Protection Week, as my Administration works with Congress to improve our consumer product safety system, we also encourage Americans to make informed financial decisions and take advantage of the resources that can help them become responsible consumers, savers, and investors.

This year's theme for National Consumer Protection Week, "Financial Literacy: A Sound Investment," encourages consumers to take steps to build a firm financial foundation. By becoming informed consumers, individuals can help plan for their future, protect their identity, and effectively manage their finances. It is important for citizens to be knowledgeable on financial matters such as choosing a health insurance plan, comparing savings and retirement plans, and realizing how credit scores can affect them. Education is the first line of defense in helping consumers manage their money wisely and safeguard themselves against fraud and identity theft.

My Administration is working to expand the American people's financial education. In January of this year, I signed an Executive Order establishing the President's Advisory Council on Financial Literacy. This Council will help keep America competitive and assist Americans in understanding and addressing financial matters. By visiting [consumer.gov](http://consumer.gov) and [mymoney.gov](http://mymoney.gov),

Americans can discover the tools they need to make financial decisions and be successful in today's marketplace.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 2 through March 8, 2008, as National Consumer Protection Week. I call upon Government officials, industry leaders, and consumer advocates to make available information about how citizens can help to prevent fraud and identity theft, and I encourage all Americans to gain the financial literacy they need to compete in the 21st century.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of February, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8225 of March 10, 2008****Women's History Month, 2008**

*By the President of the United States of America  
A Proclamation*

During Women's History Month, we celebrate the courage, foresight, and resolve of women who have strengthened our democracy.

America has been transformed by strong women whose contributions shaped the history of our country. Amelia Earhart became the first woman to fly solo across the Atlantic, and she inspired generations of women to follow their dreams. Physicist Chien-Shiung Wu helped advance our knowledge and understanding of the world through her achievements in atomic research. Harriet Tubman fought racial injustice and opened doors for more Americans to participate fully in our society.

Today, women are continuing this legacy of leadership as entrepreneurs, doctors, teachers, scientists, lawyers, artists, and public officials. They are also providing guidance and care to their loved ones and strengthening America's families and communities. We also remember the women of the United States Armed Forces who are serving our country with honor and distinction across the world.

This month, we honor the extraordinary women of our Nation's past and recognize the countless women who are demonstrating leadership in every aspect of American life.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 2008 as Women's History Month. I call upon all our citizens to observe this month with appropriate programs, ceremonies, and activities that honor the history, accomplishments, and contributions of American women.



**Proclamations**

**Proc. 8226**

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of March, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8226 of March 14, 2008**

**National Poison Prevention Week, 2008**

*By the President of the United States of America  
A Proclamation*

Since 1962, National Poison Prevention Week has helped to raise awareness about the dangers of potentially poisonous medicines and household chemicals. During this week, we underscore our commitment to protect our fellow citizens from accidental poisonings and to educate families about the preventive steps that can be taken to ensure the safety of our young people.

More than 2 million poisonings are reported each year across the country. In order to help prevent these poisonings, parents should place household chemicals out of the reach of children, keep items in their original containers, and read the labels and dosages on all products thoroughly before use. Installing carbon monoxide alarms in homes to help monitor air quality can also save lives.

To learn more about the ways to keep children safe and help prevent poisonings, I encourage all Americans to visit the Poison Prevention Week Council website at [poisonprevention.org](http://poisonprevention.org). In case of an emergency, individuals can contact the nearest Poison Control Center 24 hours a day, 7 days a week at 1-800-222-1222. By taking precautions, properly supervising children, and knowing what to do in an emergency, we can protect the health and well-being of more Americans.

To encourage Americans to learn more about the dangers of accidental poisonings and to take appropriate preventive measures, the Congress, by joint resolution approved September 26, 1961, as amended (75 Stat. 681), has authorized and requested the President to issue a proclamation designating the third week of March each year as “National Poison Prevention Week.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim March 16 through March 22, 2008, as National Poison Prevention Week. I call upon all Americans to observe this week by participating in appropriate activities and by learning how to prevent poisonings.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of March, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proc. 8227**

**Title 3—The President**

**Proclamation 8227 of March 20, 2008**

**Greek Independence Day: A National Day of Celebration of  
Greek and American Democracy, 2008**

*By the President of the United States of America  
A Proclamation*

On Greek Independence Day, we recognize the important contributions Greek Americans have made to our national character, celebrate the deep friendship between our two countries, and honor the anniversary of the Greek call for independence.

The United States and Greece share a close relationship based on our common belief in the power of freedom. The ancient Athenians gave birth to the principles of democracy, and America's Founding Fathers were inspired by Greek ideals that honored and respected human dignity and rights. When the people of Greece claimed their independence in 1821, they had the strong support of the United States. Greek patriots risked their lives because they knew freedom and democracy were both their proud legacy and their ultimate destiny. Today, our nations remain allies in the cause of freedom and are working to lay the foundations of peace and spread the blessings of liberty around the world.

In celebrating Greek Independence Day, we commemorate the heritage of freedom our countries hold dear, and we remember the Greek Americans whose strong spirit, resolve, and courage helped shape America.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 25, 2008, as Greek Independence Day: A National Day of Celebration of Greek and American Democracy. I call upon all Americans to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of March, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8228 of March 28, 2008**

**To Modify the Harmonized Tariff Schedule of the United  
States and for Other Purposes**

*By the President of the United States of America  
A Proclamation*

1. Section 1205(a) of the Omnibus Trade and Competitiveness Act of 1988 (the "1988 Act") (19 U.S.C. 3005(a)) directs the United States International Trade Commission (the "Commission") to keep the Harmonized Tariff

Schedule of the United States (HTS) under continuous review and periodically to recommend to the President such modifications to the HTS as the Commission considers necessary or appropriate to accomplish the purposes set forth in that subsection. In 2006, the Commission recommended modifications to the HTS pursuant to section 1205 of the 1988 Act to conform the HTS to amendments made to the International Convention on the Harmonized Commodity Description and Coding System (the “Convention”). In Presidential Proclamation 8097 of December 29, 2006, I modified the HTS pursuant to section 1206(a) of the 1988 Act (19 U.S.C. 3006(a)) to conform the HTS to the Convention.

2. The Commission has recommended further modifications to the HTS pursuant to sections 1205(a) and (d) of the 1988 Act (19 U.S.C. 3005(a) and (d)) to alleviate unnecessary administrative burdens, and to ensure that the prior modifications proclaimed in Proclamation 8097 maintain substantial rate neutrality.

3. Section 1206(a) of the 1988 Act authorizes the President to proclaim modifications to the HTS based on the recommendations of the Commission under section 1205 of the 1988 Act, if he determines that the modifications are in conformity with United States obligations under the Convention and do not run counter to the national economic interest of the United States. I have determined that the modifications to the HTS proclaimed in this proclamation pursuant to section 1206(a) of the 1988 Act are in conformity with United States obligations under the Convention and do not run counter to the national economic interest of the United States.

4. Presidential Proclamation 7746 of December 30, 2003, implemented the United States-Chile Free Trade Agreement with respect to the United States, and Presidential Proclamation 7747 of December 30, 2003, implemented the United States-Singapore Free Trade Agreement with respect to the United States. In Presidential Proclamation 8097, I proclaimed modifications to the HTS that I determined were necessary or appropriate to continue to carry out the duty reductions proclaimed in Proclamations 7746 and 7747.

5. In Presidential Proclamation 8214 of December 27, 2007, I further modified the HTS pursuant to section 1206(a) of the 1988 Act to ensure the continuation of tariff and certain other treatment accorded originating goods under tariff categories modified in Proclamation 8097 and to carry out the duty reductions proclaimed in Proclamations 7746 and 7747. Technical rectifications to the HTS are required to provide the intended tariff treatment.

6. On August 5, 2004, the United States entered into the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA–DR) with Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua. The Congress approved the CAFTA–DR in section 101(a) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (the “CAFTA–DR Act”) (19 U.S.C. 4011).

7. Sections 321–328 of the CAFTA–DR Act (19 U.S.C. 4081–4088) authorize the President to take certain actions in response to a request by an interested party for relief from serious damage or actual threat thereof to a domestic industry producing certain textile or apparel articles. I assigned certain functions under these provisions to the Committee for the Implementation of Textile Agreements (CITA) in Proclamation 7987 of February 28, 2006.

8. Executive Order 11651 of March 3, 1972, as amended, established CITA, consisting of representatives of the Departments of State, the Treasury, Commerce, and Labor, and the Office of the United States Trade Representative, with the representative of the Department of Commerce as Chairman, to supervise the implementation of textile trade agreements. Consistent with 3 U.S.C. 301, when carrying out functions vested in the President by statute and assigned by the President to CITA, the officials collectively exercising those functions are all to be officers required to be appointed by the President with the advice and consent of the Senate.

9. Section 604 of the Trade Act of 1974, as amended (the “Trade Act”) (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the provisions of that Act, and of other Acts affecting import treatment, and actions thereunder, including removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 1206 of the 1988 Act, sections 321–328 of the CAFTA–DR Act, section 301 of title 3, United States Code, and section 604 of the Trade Act do proclaim that:

(1) In order to modify the HTS to conform it to the Convention or any amendment thereto recommended for adoption, to promote the uniform application of the Convention, to establish additional subordinate tariff categories, and to make technical and conforming changes to existing provisions, the HTS is modified as set forth in Annex I to this proclamation.

(2) In order to provide the intended tariff treatment to imports of originating goods from Chile, the HTS is modified as set out in section A of Annex II to this proclamation.

(3) In order to provide the intended tariff treatment to imports of originating goods from Singapore, the HTS is modified as set out in section B of Annex II to this proclamation.

(4) The CITA is authorized to exercise my authority under sections 321–328 of the CAFTA–DR Act to provide relief from imports that are the subject of a determination under section 322(a) of the CAFTA–DR Act, to the extent necessary to remedy or prevent serious damage and to facilitate adjustment by the domestic industry.

(5) The United States Trade Representative shall modify the HTS in a notice published in the **Federal Register** to reflect determinations pursuant to paragraph (4) of this proclamation by the CITA.

(6) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

**Proclamations**

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(7) The modifications to the HTS set forth in Annex I and Annex II to this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the respective dates specified in each section of such Annexes for the goods described therein.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of March, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

## ANNEX I

MODIFICATIONS TO THE HARMONIZED TARIFF SCHEDULE  
OF THE UNITED STATES

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after February 3, 2007, the Harmonized Tariff Schedule of the United States is modified as set forth herein, with the material inserted in the columns titled "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special" and "Rates of Duty 2", respectively.

1. Subheading 4412.10.00 is deleted and the following new provisions are inserted in lieu thereof:

	: [Plywood, veneered panels and similar laminated...]	:	:	:	:
"4412.10	: Of bamboo:	:	:	:	:
4412.10.05	: Plywood	: 8%	: Free (A*,AU,BH,CA,CL,	: 40%	:
			: E,IL,J,JO,MA,MX,P,SG)		:
4412.10.90	: Other	: Free	:	: 40%	"

Conforming change: General note 4(d) is modified by deleting "4412.10.00" and by inserting in lieu thereof "4412.10.05".

2. Subheading 4418.72.90 is deleted and the following new provisions are inserted in lieu thereof:

	: [Builders' joinery and carpentry of wood,...]	:	:	:	:
	: [Assembled flooring panels:]	:	:	:	:
	: [Other, multilayer:]	:	:	:	:
	: "Other:	:	:	:	:
"4418.72.91	: Of unidirectional bamboo	: Free	:	: 40%	:
			:	:	:
4418.72.95	: Other	: 8%	: Free (A*,AU,BH,CA,CL,	: 40%	:
			: E,IL,J,JO,MA,MX,P,SG)		:

Conforming change: General note 4(d) is modified by deleting "4418.72.90" and by inserting in lieu thereof "4418.72.95".

3. Additional U.S. Note 1 to chapter 69 is deleted, and Additional U.S. Notes 2 through 4 are renumbered as 1 through 3, respectively.

4. Heading 7506 is deleted and the following new provisions are inserted in lieu thereof:

"7506	: Nickel plates, sheets, strip and foil:	:	:	:	:
7506.10	: Of nickel, not alloyed:	:	:	:	:
7506.10.05	: Not exceeding 0.15 mm in thickness	: 2.5%	: Free (A,AU,BH,CA,CL,E,	: 45%	:
			: IL,J,JO,MA,MX,P,SG)		:
	: Other:	:	:	:	:
7506.10.10	: Cold-formed	: 3%	: Free (A,AU,BH,CA,CL,E,	: 35%	:
			: IL,J,JO,MA,MX,P,SG)		:
7506.10.30	: Not cold-formed	: 2.5%	: Free (A,AU,BH,CA,CL,E,	: 25%	:
			: IL,J,JO,MA,MX,P,SG)		:
7506.20	: Of nickel alloys:	:	:	:	:
7506.20.05	: Not exceeding 0.15 mm in thickness	: 3%	: Free (A,AU,BH,CA,CL,E,	: 45%	:
			: IL,J,JO,MA,MX,P,SG)		:
	: Other:	:	:	:	:
7506.20.10	: Cold-formed	: 3%	: Free (A,AU,BH,CA,CL,E,	: 35%	:
			: IL,J,JO,MA,MX,P,SG)		:
7506.20.30	: Not cold-formed	: 2.5%	: Free (A,AU,BH,CA,CL,E,	: 25%	:
			: IL,J,JO,MA,MX,P,SG)		:

5. Additional U.S. Note 3 to chapter 82 is modified by deleting "8205, 8211" and inserting "8205, 8206, 8211" in lieu thereof.

6. Subheadings 8205.59.40 through 8205.59.80 are deleted and the following new provisions are inserted in lieu thereof:

	: [Handtools (including glass cutters)...]	:	:	:	:
	: [Other handtools (including ....)]	:	:	:	:
	: [Other:]	:	:	:	:
	: [Other:]	:	:	:	:

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### ANNEX I (continued)

	:	"Of iron or steel:	:	:	:
8205.59.45	:	Caulking guns . . . . . : 5.3%	:	Free (A,AU,BH,CA,CL,E, : 40%	:
	:		:	IL,J,JO,MA,MX,P,SG)	:
8205.59.55	:	Other . . . . . : 5.3%	:	Free (A,AU,BH,CA,CL,E, : 40%	:
	:		:	IL,J,JO,MA,MX,P,SG)	:
8205.59.60	:	Of copper . . . . .	:	Free	:
	:		:		: 40%
8205.59.70	:	Of aluminum . . . . . : 1.5¢/g +	:	Free (A,AU,BH,CA,CL,E, : 19¢/kg	:
	:		:	IL,J,JO,MA,MX,P,SG)	: + 40%
8205.59.80	:	Other . . . . . : 3.7%	:	Free (A,AU,BH,CA,CL,E, : 40%"	:
	:		:	IL,J,JO,MA,MX,P,SG)	:

7. The immediately superior text to subheading 8214.20.60 is modified to read as follows:

"Manicure and pedicure sets, and combinations thereof:"

8. Subheadings 8527.99.20 and 8527.99.50 are deleted and the following new provisions are inserted in lieu thereof:

	:	[Reception apparatus for radiobroadcasting, ...]	:	:	:
	:	[Other:]	:	:	:
	:	[Other:]	:	:	:
" 8527.99.15	:	Other radio receivers . . . . . : 3%	:	Free(A,AU,B,BH,C,CA, : 35%	:
	:		:	CL,E,IL,J,JO,MA,MX, : :	:
	:		:	P,SG)	:
8527.99.40	:	Other . . . . . : 6%	:	Free (A,AU,B,BH,C,CA, : 35%"	:
	:		:	CL,E,IL,J,JO,MA,MX,P, : :	:
	:		:	SG)	:
	:		:		:

Conforming change: Heading 9902.02.25 is modified by deleting "8527.99.20" and by inserting in lieu thereof "8527.99.15".

**ANNEX II**

**TECHNICAL CORRECTIONS TO THE HARMONIZED  
TARIFF SCHEDULE OF THE UNITED STATES**

A. Effective with respect to goods of Chile, under the terms of general note 26 to the Harmonized Tariff Schedule of the United States (HTS), that are entered, or withdrawn from warehouse for consumption, on or after February 8, 2008, general note 26(n) is modified as follows:

1. Tariff classification rule (TCR) 39 for chapter 28 is deleted.
2. TCR 49B(B) for chapter 29 is modified by inserting "subheading" after the word "of".
3. TCR 1 for chapter 30 is modified by deleting "including another subheading within that group."
4. TCR 13 for chapter 30 is modified by deleting "3006.80" at each instance and by inserting in lieu thereof "3006.92".
5. TCR 32(C) for chapter 81 is modified by deleting "8221.99" and by inserting in lieu thereof "8112.99".

B. Effective with respect to goods of Singapore, under the terms of general note 25 to the Harmonized Tariff Schedule of the United States (HTS), that are entered, or withdrawn from warehouse for consumption, on or after February 8, 2008, general note 25(o) to the HTS is modified as follows:

1. TCR 6 for chapter 61 is modified by redesignating subdivisions (1) and (2) as (A) and (B) and by positioning such designators immediately below the initial text of TCR 6.
2. The change previously proclaimed in item 52 of annex II to Presidential Proclamation 8214 of December 27, 2007, is modified so as to delete TCRs 71 through 73 for chapter 62.
3. TCR 16 for chapter 85 is modified to read as follows:

"16. A change to subheadings 8509.40 through 8509.80 from any other subheading, including another subheading within that group."
4. TCR 4 for chapter 94 is modified by deleting "9401.90" and by inserting in lieu thereof "9401.80".



**Proclamation 8229 of April 1, 2008****Cancer Control Month, 2008**

*By the President of the United States of America  
A Proclamation*

During Cancer Control Month, we honor cancer victims and survivors, raise awareness of the impact cancer has on our citizens, and underscore our commitment to battling this deadly disease.

Cancer is the second-leading cause of death in the United States, and we remain committed to making the medical advances necessary to prevent and treat this disease. Scientists and medical professionals have made great progress in developing innovative treatments, improving diagnostic tools, and increasing our understanding of cancer. These advances have helped people with cancer live longer, healthier lives.

All Americans can reduce their risk of developing cancer by following healthy eating habits, exercising regularly, avoiding tobacco and excessive use of alcohol, and controlling their weight. By scheduling regular physicals, getting preventive health screenings, and being aware of their family history, individuals who do develop cancer can increase the likelihood that it will be discovered at an earlier and more treatable stage. I encourage all our citizens to talk to their doctors and learn more about preventive measures that can save lives.

My Administration remains dedicated to finding a cure for cancer. Since 2005, the Cancer Genome Atlas has played a role in advancing cancer research, and it is helping scientists learn more about the genetic sources of cancer. We continue to support the innovative advances needed to bring hope to those affected, and we will continue to fight cancer.

As we observe Cancer Control Month, we honor cancer survivors for their determination, courage, and strength, and we remember those who lost their valiant fight against cancer. Their stories are an inspiration to all Americans. We also recognize medical professionals, researchers, family members, and friends who help support cancer patients. Their efforts improve the quality of life for those suffering from cancer, and their compassion embodies the true spirit of our Nation.

The Congress of the United States, by joint resolution approved March 28, 1938 (52 Stat. 148; 36 U.S.C. 103), as amended, has requested the President to issue an annual proclamation declaring April as "Cancer Control Month."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim April 2008 as Cancer Control Month. I encourage citizens, government agencies, private businesses, nonprofit organizations, and other interested groups to join in activities that raise awareness about how all Americans can prevent and control cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proc. 8230**

**Title 3—The President**

**Proclamation 8230 of April 1, 2008**

**National Child Abuse Prevention Month, 2008**

*By the President of the United States of America  
A Proclamation*

Children are the hope and promise of our Nation, and our society has a special duty to ensure young Americans get the care and attention they need to succeed in life. During National Child Abuse Prevention Month, we underscore our commitment to preventing child abuse and neglect so that all children can live in safety and security.

Parents have a responsibility to safeguard their children from danger and to provide the love, protection, and guidance youngsters need to grow into confident and caring adults. In every community across the Nation, good and courageous citizens are improving the lives of our most vulnerable children with acts of compassion. The strength of America lies in the ability of our citizens to make a positive difference in the lives of our young people.

My Administration is committed to the safety of our Nation's youth. In 2006, I signed into law the Adam Walsh Child Protection and Safety Act, which was designed to protect children from sexual and other violent crimes, help prevent child pornography, and make the Internet safer for our children. This law expands sex offender registration and notification on a nationwide basis, provides a statutory basis for the Project Safe Childhood program, and gives communities and law enforcement the tools necessary to keep children out of harm's way. Additionally, with strengthened Federal penalties, we will ensure that those who prey on our children will be caught, prosecuted, and punished to the fullest extent of the law.

As we observe National Child Abuse Prevention Month, we reaffirm our loving commitment to America's youth and our dedication to building a society in which all children can realize their full potential.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 2008 as National Child Abuse Prevention Month. I encourage all citizens to help protect our children from abuse and neglect and to take an active role in creating safe communities.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8231 of April 1, 2008****National Donate Life Month, 2008**

*By the President of the United States of America  
A Proclamation*

Every human life has matchless value, and during National Donate Life Month, we reaffirm our commitment to raising awareness about the importance of organ donation. We also express our appreciation to those who have donated organs, tissue, and marrow.

Thousands of Americans are currently on the waiting list for an organ or tissue transplant. I urge all Americans to register with their State's donor registry; fill out, sign, and carry an organ donor card; say yes to organ donation on their driver's license; and share their decision with family and friends. By taking these steps, Americans can help save lives. My Administration is committed to strengthening organ and tissue donation programs and awareness activities. Just last year, I was pleased to sign the "Charlie W. Norwood Living Organ Donation Act," which helps match more donors with those in need of transplants. The kindness and generosity of donors reflect the compassionate spirit of our Nation.

During National Donate Life Month, we celebrate the life-saving work of medical professionals and researchers and the many others whose actions reflect our commitment to a brighter tomorrow. Individuals can visit [organdonor.gov](http://organdonor.gov) to learn more about organ and tissue donation and how they can give the gift of life.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 2008 as National Donate Life Month. I call upon health care professionals, volunteers, educators, government agencies, faith-based and community groups, and private organizations to help raise awareness of the urgent need for organ and tissue donors throughout our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8232 of April 1, 2008****National Fair Housing Month, 2008**

*By the President of the United States of America  
A Proclamation*

During National Fair Housing Month, our Nation commemorates the 40th anniversary of the Fair Housing Act and reaffirms our dedication to maintaining equal access to housing for every American.

On April 11, 1968, President Lyndon B. Johnson signed the Fair Housing Act. This important legislation was one of a series of civil rights laws that sought to secure the rights of individuals and extend the full blessings of liberty to all Americans. The Fair Housing Act prohibits discrimination in the sale, rental, and financing of housing and, in doing so, furthers the ideals championed by Dr. Martin Luther King, Jr., and other heroes of the civil rights movement.

Our Nation has come a long way, yet our journey to justice is not complete. While the housing market works through this difficult period, my Administration remains steadfast in its commitment to help responsible homeowners, to end discrimination, and to work to ensure that all citizens have access to housing. During National Fair Housing Month, we acknowledge our responsibility to ensure that all Americans enjoy the opportunities that this great land of liberty offers.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 2008 as National Fair Housing Month. I call upon the people of the United States to learn more about their rights and responsibilities under the Fair Housing Act.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

#### **Proclamation 8233 of April 4, 2008**

#### **National Tartan Day, 2008**

*By the President of the United States of America  
A Proclamation*

Americans of Scottish descent have made enduring contributions to our Nation with their hard work, faith, and values. On National Tartan Day, we celebrate the spirit and character of Scottish Americans and recognize their many contributions to our culture and our way of life.

Scotland and the United States have long shared ties of family and friendship, and many of our country's most cherished customs and ideals first grew to maturity on Scotland's soil. The Declaration of Arbroath, the Scottish Declaration of Independence signed in 1320, embodied the Scots' strong dedication to liberty, and the Scots brought that tradition of freedom with them to the New World. Sons and daughters of many Scottish clans were among the first immigrants to settle in America, and their determination and optimism helped build our Nation's character. Several of our Founding Fathers were of Scottish descent, as have been many Presidents and Justices of the United States Supreme Court. Many Scottish Americans, such as Andrew Carnegie, were great philanthropists, founding and supporting numerous scientific, educational, and civic institutions. From the evocative sounds of the bagpipes to the great sport of golf, the Scots have also left an indelible mark on American culture.

**Proclamations**

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National Tartan Day is an opportunity to celebrate all Americans who claim Scottish ancestry, and we are especially grateful for the service in our Armed Forces of Scottish Americans who have answered the call to protect our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 6, 2008, as National Tartan Day. I call upon all Americans to observe this day by celebrating the continued friendship between the people of Scotland and the United States and by recognizing the contributions of Scottish Americans to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8234 of April 8, 2008**

**National Former Prisoner of War Recognition Day, 2008**

*By the President of the United States of America  
A Proclamation*

America is blessed to have brave men and women willing to step forward to defend our freedoms and keep us safe. The members of the United States Armed Forces have proudly held fast against determined and ruthless enemies, protected our citizens from harm, and freed millions from oppression. On National Former Prisoner of War Recognition Day, we pay tribute to the courageous and selfless individuals who were taken captive while serving the cause of peace and securing liberty across the globe.

America's former prisoners of war set an example of vision, valor, and unshakeable love of country that inspires our citizens. Through unspeakable conditions, they upheld their oath to defend America with honor and dignity. Their extraordinary spirit, patriotism, and resolve helped defeat tyranny and build democratic and just societies, enabling decent men and women around the world to live in freedom.

Our Nation is extremely proud of our former prisoners of war, and we owe them and their families a debt we can never fully repay. On National Former Prisoner of War Recognition Day, we honor our country's heroes who were prisoners of war, recognize their sacrifice, and express our deepest gratitude to those who helped write a more hopeful chapter in our history.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 9, 2008, as National Former Prisoner of War Recognition Day. I call upon the people of the United States to join me in honoring the service and sacrifices of all of

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**Title 3—The President**

America's former prisoners of war. I call upon Federal, State, and local government officials and private organizations to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8235 of April 9, 2008**

**National D.A.R.E. Day, 2008**

*By the President of the United States of America  
A Proclamation*

For 25 years, Drug Abuse Resistance Education (D.A.R.E.) has given school children across America an opportunity to gain the skills they need to avoid involvement in drugs, gangs, and violence. On National D.A.R.E. Day, we recognize those individuals who teach America's children how to resist peer pressure and live productive, drug-free, and violence-free lives.

Millions of our Nation's young people have learned about the dangerous effects of drug abuse with the help of the D.A.R.E. program. Parents, law enforcement officials, teachers, and counselors are on the front lines of this effort and are sending our kids a clear message that drug use is dangerous and unacceptable. In classrooms across the country, police officers are answering students' tough questions about drugs and crime and encouraging an open line of communication between students and law enforcement.

My Administration is committed to reducing drug use among young people, and we are working to cut the supply of drugs coming into our country and fight demand here at home. Additionally, we are helping spread the message of drug prevention through the National Youth Anti-Drug Media Campaign and the Partnership for a Drug-Free America. The Helping America's Youth initiative, led by First Lady Laura Bush, is working with community leaders to address challenges facing young people on a daily basis. These and other efforts are helping to combat the destructive cycle of drug addiction.

All Americans have a responsibility to encourage others to turn away from drug abuse and to make good choices in life. During National D.A.R.E. Day, we renew our commitment to providing our youth the knowledge and encouragement they need to resist the pressures that can lead them to experiment with drugs and violent activities. By working together, we can help our children build lives of purpose and strengthen our communities, one heart and one soul at a time.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 10, 2008, as National D.A.R.E. Day. I urge all young people to make right choices and call upon all Americans to recognize our collective responsibility to combat every

form of drug abuse and to support all those who work to help our children avoid drug use and violence.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8236 of April 10, 2008**

**Pan American Day and Pan American Week, 2008**

*By the President of the United States of America*

*A Proclamation*

On Pan American Day and during Pan American Week, we underscore the importance of a peaceful, democratic, and prosperous Western Hemisphere where our common values continue to strengthen friendships, advance freedom, and encourage fair trade.

The love of liberty is deeply rooted in our hemisphere. In the earliest days of our Republic, the people of the United States inspired patriots throughout the Americas to take their own stand for independence. Today, the decent and honorable people of both American continents are united in the desire for freedom and democracy. The United States stands with those who respect human rights and those who seek to bring change and hope to their countries. We look forward to the day when all of the Americas are wholly free and democratic.

My Administration remains committed to helping our friends as they advance the cause of justice and economic opportunity throughout the Western Hemisphere. Through Millennium Challenge Compacts, we support development in countries that govern justly, invest in their people, and promote economic freedom. In addition, the Dominican Republic-Central America-United States Free Trade Agreement, signed in 2005, has opened markets and created opportunities for American businesses, strengthened economic ties with our neighbors to the south, and brought hope to people so that they can better care for themselves and for their families. In December of 2007, I signed the United States-Peru Trade Promotion Agreement Implementation Act to bring economic gains for both of our countries, empower workers, and foster accountability and the rule of law. We seek to build on these successes by working with the Congress to approve the United States-Colombia Trade Promotion Agreement and the United States-Panama Trade Promotion Agreement. These and other free trade agreements enhance prosperity in the United States and signal our firm support for those who share our values of freedom and democracy.

As we recognize Pan American Day and Pan American Week, we will continue to work together to advance our common interests and build a future in which opportunity reaches into every community.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 14, 2008, as Pan

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American Day and April 13 through April 19, 2008, as Pan American Week. I urge the Governors of the 50 States, the Governor of the Commonwealth of Puerto Rico, and the officials of other areas under the flag of the United States of America to honor these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8237 of April 11, 2008**

**National Crime Victims' Rights Week, 2008**

*By the President of the United States of America  
A Proclamation*

During National Crime Victims' Rights Week we highlight our dedication to protecting and strengthening the rights of crime victims and their families.

My Administration is committed to providing services and resources for victims of crime so that they can find justice, hope, and healing in their lives. To assist victims of domestic violence and their children, my Family Justice Center Initiative established comprehensive support centers in communities across the country. Through the Justice for All Act of 2004, we expanded DNA testing and enhanced the scope and enforceability of crime victims' rights. In 2006, I signed into law the Adam Walsh Child Protection and Safety Act to expand the National Sex Offender Registry, increase Federal penalties for crimes against children, and protect our children while on the Internet. I also support a Crime Victims' Rights Amendment to the Constitution. Through these and other efforts, we can better protect our citizens and our communities.

During National Crime Victims' Rights Week, we recognize the advocates, counselors, and others who assist victims in their time of need, and the law enforcement personnel who work to bring offenders to justice. To learn more about victims' rights, Americans can visit [www.crimevictims.gov](http://www.crimevictims.gov). By working together, we can help protect crime victims and build a society that respects the life and value of every person.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 13 through April 19, 2008, as National Crime Victims' Rights Week. I encourage all Americans to promote awareness of victims' rights and advance this important cause.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH



**Proclamation 8238 of April 15, 2008****Education and Sharing Day, U.S.A., 2008**

*By the President of the United States of America*  
*A Proclamation*

A hopeful society helps ensure that its citizens develop the character, knowledge, and skills they need to succeed. On Education and Sharing Day, we underscore our dedication to encouraging our Nation's youth to build a solid foundation for a lifetime of accomplishment.

Education and Sharing Day pays tribute to the unique efforts of Rabbi Menachem Mendel Schneerson, the Lubavitcher Rebbe. The Rebbe helped create numerous education and outreach centers, which continue to provide social service programs and humanitarian aid at home and around the globe.

On this day and throughout the year, we encourage our children to set high goals, make the right choices, and put character first. By instilling respect, responsibility, civic duty, compassion, and honesty in our youth, we can help more of our citizens realize the great promise of America.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 16, 2008, as Education and Sharing Day, U.S.A. I call upon government officials, educators, volunteers, and all the people of the United States to reach out to young people and work to create a better, brighter, and more hopeful future for all.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8239 of April 15, 2008****National Park Week, 2008**

*By the President of the United States of America*  
*A Proclamation*

President Franklin D. Roosevelt once said, "There is nothing so American as our National Parks." During National Park Week, we underscore our commitment to conserving these magnificent places and recognize the many employees and volunteers who give their time and energy to keep them beautiful for all Americans to enjoy.

This year's theme for National Park Week, "Kids In Parks," highlights youth programs and initiatives offered by the National Park Service to encourage children to be good stewards of the land. The Junior Ranger program is one such program that encourages America's youth to explore, protect, and learn about our national parks. Today, many national parks have

active Junior Ranger programs. By visiting [nps.gov/webrangers](http://nps.gov/webrangers), young people can sign up to become WebRangers, enabling them to learn about different parks, monuments, and historic sites right from their homes.

Across the United States, the Federal Government plays a vital role in protecting our natural and historical treasures. My Administration launched the National Park Centennial Initiative to preserve and enhance these scenic wonders and to prepare for the 100th anniversary of the National Park Service in 2016. Serving as the Honorary Chair of the National Park Foundation, First Lady Laura Bush has also played a significant role in preserving our national parks. The First Lady is actively involved in programs such as First Bloom, which teaches children how to preserve native plants across America. In addition, this past Christmas, the White House highlighted our national parks with the theme “Holiday in the National Parks.”

Our National Parks belong to each of us, and they are natural places to learn, exercise, volunteer, spend time with family and friends, and enjoy the magnificent beauty of our great land. During National Park Week and throughout the year, Americans of all ages can pledge to help maintain and enhance America’s national treasures for future generations.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 19 through April 27, 2008, as National Park Week. I invite all my fellow citizens to join me in celebrating America’s national parks by visiting these wonderful spaces, discovering all they have to offer, and becoming active participants in park conservation.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

#### **Proclamation 8240 of April 17, 2008**

### **To Take Certain Actions Under the African Growth and Opportunity Act and the Generalized System of Preferences and for Other Purposes**

*By the President of the United States of America*  
*A Proclamation*

1. Section 506A(a)(1) of the Trade Act of 1974, as amended (the “1974 Act”) (19 U.S.C. 2466a(a)(1)), as added by section 111(a) of the African Growth and Opportunity Act (title I of Public Law 106–200) (AGOA), authorizes the President to designate a country listed in section 107 of the AGOA (19 U.S.C. 3706) as a “beneficiary sub-Saharan African country” if the President determines that the country meets the eligibility requirements set forth in section 104 of the AGOA (19 U.S.C. 3703), as well as the eligibility criteria set forth in section 502 of the 1974 Act (19 U.S.C. 2462).

2. Section 104 of the AGOA authorizes the President to designate a country listed in section 107 of the AGOA as an “eligible sub-Saharan African country” if the President determines that the country meets certain eligibility requirements.

3. Section 112(c) of the AGOA, as amended in section 6002 of the Africa Investment Incentive Act of 2006 (Division D, Title VI, Public Law 109–432) (19 U.S.C. 3721(c)), provides special rules for certain apparel articles imported from “lesser developed beneficiary sub-Saharan African countries.”

4. Pursuant to section 104 of the AGOA and section 506A(a)(1) of the 1974 Act, I have determined that the Republic of Togo (Togo) meets the eligibility requirements set forth or referenced therein, and I have decided to designate Togo as an eligible sub-Saharan African country and as a beneficiary sub-Saharan African country.

5. I further determine that Togo satisfies the criterion for treatment as a “lesser developed beneficiary sub-Saharan African country” under section 112(c)(5)(D) of the AGOA, as amended.

6. Presidential Proclamation 8114 of March 19, 2007, implemented section 112 of the AGOA, as amended. Technical corrections to the Harmonized Tariff Schedule of the United States (HTS) are necessary to implement the intended tariff treatment.

7. Pursuant to sections 501 and 502(a) of the 1974 Act (19 U.S.C. 2461, 2462(a)), the President is authorized to designate countries as beneficiary developing countries, and to designate any beneficiary developing country as a least-developed beneficiary developing country, for purposes of the Generalized System of Preferences (GSP) program.

8. In Executive Order 12302 of April 1, 1981, the President designated the Solomon Islands as a beneficiary developing country for purposes of the GSP program. Pursuant to section 502(a)(2) of the 1974 Act, and having considered the factors set forth in sections 501 and 502(c), I have determined that the Solomon Islands should be designated as a least-developed beneficiary developing country for purposes of the GSP program.

9. In calendar year 2006, imports from Jamaica under subheading 2202.90.37 of the HTS exceeded the relevant competitive need limitation (CNL) set forth in 19 U.S.C. 2463(c)(2). Pursuant to section 503(c)(2)(A) of the 1974 Act, where imports of articles exceed the relevant CNL in a calendar year, the President shall withdraw duty-free treatment for such article by July 1 of the following year and modify the HTS accordingly.

10. On January 6, 1987, Colombia was granted a waiver of the CNL for imports under HTS subheading 1701.11.05. Despite the existing waiver of the CNL, on July 5, 2001, duty-free treatment was withdrawn in error for imports from Colombia under HTS subheading 1701.11.05 because import levels exceeded the relevant CNL in calendar year 2000. A technical correction to the HTS is required to reflect the waiver of the CNL for imports from Colombia under HTS subheading 1701.11.05.

11. In Presidential Proclamation 8097 of December 29, 2006, I modified the HTS pursuant to section 1206(a) of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 3006(a)) to conform the HTS to the International Convention on the Harmonized Commodity Description and Coding System (the “Convention”). Additional conforming changes to the HTS are required to implement the intended tariff treatment.

12. Section 604 of the 1974 Act (19 U.S.C. 2483), as amended, authorizes the President to embody in the HTS the substance of relevant provisions of that Act, or other acts affecting import treatment, and of actions taken thereunder.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 104 of the AGOA and title V and section 604 of the 1974 Act (19 U.S.C. 2461–67, 2483), do proclaim that:

(1) Togo is designated as an eligible sub-Saharan African country and as a beneficiary sub-Saharan African country for purposes of the AGOA.

(2) In order to reflect this designation in the HTS, general note 16(a) to the HTS is modified by inserting in alphabetical sequence in the list of beneficiary sub-Saharan African countries “Republic of Togo,” effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the thirtieth day after the date of this proclamation.

(3) For purposes of section 112(c) of the AGOA, as amended, Togo is a less-developed beneficiary sub-Saharan African country.

(4) In order to provide the tariff treatment intended under section 112 of the AGOA, as amended, the HTS is modified as set forth in the Annex to this proclamation.

(5) The Solomon Islands is designated as a least-developed beneficiary developing country for purposes of the GSP program.

(6) In order to reflect this designation in the HTS, general note 4(b)(i) is modified by adding in alphabetical order “The Solomon Islands,” effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the sixty-fifth day after the date of this proclamation.

(7) For purposes of the GSP program, in order to provide the intended tariff treatment for imports from Jamaica, under HTS subheading 2202.90.37, general note 4(d) is modified by adding in numerical order “2202.90.37” and by inserting “Jamaica” next to “2202.90.37.”

(8) For purposes of the GSP program, in order to provide the intended tariff treatment for imports from Colombia, under HTS subheading 1701.11.05, general note 4(d) is modified by deleting “Colombia” from the list of countries enumerated next to HTS subheading “1701.11.05.”

(9) In order to conform the HTS to the Convention, additional U.S. note 3(d) to subchapter XX of chapter 98 and additional U.S. note 4(d) to subchapter XXI of chapter 98 of the HTS are each modified by deleting “5402.10.30, 5402.10.60,” each place it occurs and by inserting in lieu thereof “5402.11.30, 5402.11.60, 5402.19.30, 5402.19.60,” in each case.

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(10) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**ANNEX**

**TO IMPLEMENT TECHNICAL MODIFICATIONS  
IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES**

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after October 1, 2007, subchapter XIX of chapter 98 of the Harmonized Tariff Schedule of the United States is modified as set forth herein:

1. U.S. note 2 to such subchapter is modified--

- (A) by modifying the text of subdivision (a) to read as follows:  
"Imports of apparel articles under subheadings 9819.11.09, 9819.11.12 and 9819.15.10, and under any other subheading from among subheadings 9819.15.15 through 9819.15.42 which may be applicable to imported apparel articles from eligible beneficiary sub-Saharan African countries pursuant to determinations of the United States International Trade Commission, shall be limited during each 1-year period enumerated in subdivision (b) of this note to the applicable percentage, in aggregate square meter equivalents, of all apparel articles imported into the United States in the preceding 12-month period for which data are available. Any apparel article eligible for entry under both subheading 9819.11.09 and a subheading from among subheadings 9819.15.10 through 9819.15.42 shall be entered under the appropriate subheading from among subheadings 9819.15.10 through 9819.15.42.";
- (B) by deleting from subdivision (b) of such note the expression "subheading 9819.11.09" at its first instance and by inserting in lieu thereof "subheadings 9819.11.09 and 9819.15.10, and under any other subheading from among subheadings 9819.15.15 through 9819.15.42 which may be applicable to imported apparel articles from eligible beneficiary sub-Saharan African countries pursuant to determinations of the United States International Trade Commission,"; and
- (C) by deleting from subdivision (e) of such note the expression "subheading 9819.11.09" and by inserting in lieu thereof "subheadings 9819.11.09, 9819.11.12 and 9819.15.10, and under any other subheading from among subheadings 9819.15.15 through 9819.15.42 which may be applicable to imported apparel articles from eligible beneficiary sub-Saharan African countries pursuant to determinations of the United States International Trade Commission".

2. U.S. note 5 to such subchapter is modified--

- (A) by deleting subdivision (a) and paragraphs (a)(i) and (a)(ii) of such note and by inserting in lieu thereof the following new subdivision:  
"(a) For purposes of subheadings 9819.15.10 through 9819.15.42 and the superior text thereto, subject to the provisions of this note and to U.S. note 2 to this subchapter, apparel articles are eligible for entry under these provisions if they contain a fabric or yarn produced in beneficiary sub-Saharan African countries that has been determined by the United States International Trade Commission (USITC) to be available in commercial quantities for use in lesser developed sub-Saharan African beneficiary countries, pursuant to the terms of section 112(c) of the African Growth and Opportunity Act (AGOA), as amended (19 U.S.C. 3721(c)), provided that all other requirements of this subchapter and applicable Customs regulations are met. For the purposes of this note, apparel articles contain a fabric or yarn if each article, or the component of each such article that determines the article's classification for tariff purposes, is considered to be an article or component of that fabric or yarn. The USITC will determine and announce, in notices published in the *Federal Register* under the terms of section 112(c)(2) of the AGOA, the aggregate quantity of each fabric or yarn covered by a previous affirmative USITC determination described in the first sentence of this subdivision that was used to produce apparel articles in lesser developed sub-Saharan African beneficiary countries enumerated in U.S. note 2(d) to this subchapter that were entered into the United States during each applicable 1-year period starting on October 1 in a year and ending on September 30 in the subsequent year. No apparel articles shall be entered under subheadings 9819.15.10 through 9819.15.42 after the close of September 30, 2012."; and
- (B) by deleting subdivision (b) of such note.

## Proclamation 8241 of April 17, 2008

**Small Business Week, 2008**

*By the President of the United States of America  
A Proclamation*

In communities across America, small business owners are working hard to turn their dreams into enterprises. Small Business Week is a time to celebrate the many achievements of small business owners, entrepreneurs, and employees, who contribute to the vitality and prosperity of our Nation and create new job opportunities for our citizens.

Small businesses are the backbone of the American economy, and my Administration is committed to fostering an environment in which the entrepreneurial spirit can thrive. By keeping taxes low, we leave more money in the hands of Americans to save, spend, and invest. This year, we have also temporarily expanded incentives to help small businesses invest in new equipment and expand their enterprises. We have also expanded market access and opened new markets for American goods and services abroad, helping our small businesses compete in the global economy. To make health care more affordable and accessible, we continue to support Association Health Plans so small businesses can band together to get the same discounts that big companies receive.

The underpinnings of our economy are strong, competitive, and resilient enough to overcome the challenges we face, and in the long run, Americans can be confident that our economy will continue to grow. During Small Business Week and throughout the year, we recognize the determination and ingenuity of America's workers and entrepreneurs who play a vital role in building a more prosperous future for our country.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 20 through April 26, 2008, as Small Business Week. I call upon all Americans to observe this week with appropriate ceremonies, activities, and programs that celebrate the achievements of small business owners and their employees and encourage the development of new small businesses.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8242 of April 21, 2008****National Day of Prayer, 2008**

*By the President of the United States of America  
A Proclamation*

America trusts in the abiding power of prayer and asks for the wisdom to discern God's will in times of joy and of trial. As we observe this National Day of Prayer, we recognize our dependence on the Almighty, we thank Him for the many blessings He has bestowed upon us, and we put our country's future in His hands.

From our Nation's humble beginnings, prayer has guided our leaders and played a vital role in the life and history of the United States. Americans of many different faiths share the profound conviction that God listens to the voice of His children and pours His grace upon those who seek Him in prayer. By surrendering our lives to our loving Father, we learn to serve His eternal purposes, and we are strengthened, refreshed, and ready for all that may come.

On this National Day of Prayer, we ask God's continued blessings on our country. This year's theme, "Prayer! America's Strength and Shield," is taken from Psalm 28:7, "The Lord is my strength and my shield; my heart trusts in him, and I am helped." On this day, we pray for the safety of our brave men and women in uniform, for their families, and for the comfort and recovery of those who have been wounded.

The Congress, by Public Law 100-307, as amended, has called on our Nation to reaffirm the role of prayer in our society by recognizing each year a "National Day of Prayer."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 1, 2008, as a National Day of Prayer. I ask the citizens of our Nation to give thanks, each according to his or her own faith, for the freedoms and blessings we have received and for God's continued guidance, comfort, and protection. I invite all Americans to join in observing this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8243 of April 22, 2008****Older Americans Month, 2008**

*By the President of the United States of America  
A Proclamation*

During Older Americans Month, we recognize the many ways older citizens have enriched our Nation through their character, wisdom, and love.

Our country remains strong because of the foundation our elders have helped lay. This year's Older Americans Month theme, "Working Together for Strong, Healthy, and Supportive Communities," highlights the importance of building partnerships to ensure that older Americans are able to live with dignity and independence.

Every week thousands of older Americans give back to their communities by volunteering through groups like Senior Corps. From teaching young children how to read, to helping provide relief to those affected by natural disasters, seniors play an important and compassionate role in our Nation.

My Administration is dedicated to ensuring that our seniors are treated with the respect they have earned. They deserve to have choices and access to the best possible health care, so we have added new preventive care measures and prescription drug benefits as part of our effort to modernize Medicare and make medication more affordable. In this way and many others, our country honors our elders' legacy and recognizes their countless contributions to our Nation.

America's seniors provide an example for younger generations, and during Older Americans Month, we reflect on their efforts toward building a stronger and brighter future for all. Our country remains forever in their debt, as they have provided a guiding light for the rest of the Nation to follow.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 2008 as Older Americans Month. I commend older Americans for the many contributions they have made and continue to make to our Nation. I also commend the Federal, State, local, and tribal organizations, service and health care providers, caregivers, and volunteers who dedicate their time and talents to our seniors. I encourage all citizens to honor their elders, care for those in need, and reaffirm our country's commitment to older Americans this month and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

#### **Proclamation 8244 of April 22, 2008**

#### **National Volunteer Week, 2008**

*By the President of the United States of America  
A Proclamation*

Through countless acts of kindness, volunteers across America are changing our Nation for the better. During National Volunteer Week, we recognize those who take the time to help their fellow citizens realize the full potential of America.



Through volunteer work, Americans can demonstrate the kindness and generosity that make our Nation great. Mentoring a child, teaching someone to read, visiting the elderly, feeding the hungry, and finding shelter for the homeless are all examples of how Americans can and do aid those in need. Americans are volunteering in record numbers. Each year, millions of Americans volunteer, and more of our fellow citizens are discovering that the pursuit of happiness leads to the path of service. The cumulative effort of the love and compassion from our Nation's volunteers will help secure a more hopeful future for all our citizens.

My Administration remains committed to building a culture of service, citizenship, and responsibility. The USA Freedom Corps strengthens civic engagement and volunteer service in America and helps people connect with volunteer opportunities. By visiting the USA Freedom Corps website at [volunteer.gov](http://volunteer.gov), individuals can find information about ways they can help in their local areas and across the country.

The strength of America comes from its compassionate and loving citizens. National Volunteer Week is an opportunity to show appreciation for our Nation's volunteers. The time and energy they dedicate to helping those in need reflect the true spirit of America.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 27 through May 3, 2008, as National Volunteer Week. I call upon all Americans to recognize and celebrate the important work that volunteers do every day throughout our country. I also encourage citizens to explore ways to help their neighbors in need and serve a cause greater than self.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

#### **Proclamation 8245 of April 22, 2008**

#### **Loyalty Day, 2008**

*By the President of the United States of America  
A Proclamation*

Americans believe that every man, woman, and child has unalienable rights, dignity, and matchless value. Advancing these ideals was the honorable vision of our Founders and the mission that helped shape this great country. On Loyalty Day, we celebrate the legacy of freedom and the shared ideals that bind us together.

Our Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen demonstrate their love of country by stepping forward when America needs them most. By putting our country's security before their own, the men and women of the Armed Forces have strengthened our Nation and brought hope to millions around the world. All Americans are grateful to the members of the

military and their families for their service, sacrifice, and dedication, and we are proud of their accomplishments.

Through their good works, our Nation's volunteers bear witness to their steadfast love for America, as exemplified in their commitment to service and good citizenship. Loyalty to this country brings with it a commitment to aid our family, friends, and fellow citizens all across this broad and welcoming land. These volunteers demonstrate their gratitude for the blessings of freedom by helping build a more hopeful future for our children and grandchildren. All Americans can put their loyalty into practice by learning more about the history of our country, flying the American flag, and contributing to our communities.

Two hundred and thirty-two years after the founding of our country, we remain committed to advancing freedom and renewing the values that sustain our liberty. Through the spirit and determination of our people, our Nation will prosper and our liberty will be secure.

The Congress, by Public Law 85–529, as amended, has designated May 1 of each year as “Loyalty Day.” This Loyalty Day, and throughout the year, I ask all Americans to join me in reaffirming our allegiance to our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 1, 2008, as Loyalty Day. I call upon all people of the United States to join in support of this national observance and to display the flag of the United States on Loyalty Day as a symbol of pride in our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

#### **Proclamation 8246 of April 25, 2008**

#### **Malaria Awareness Day, 2008**

*By the President of the United States of America  
A Proclamation*

On Malaria Awareness Day, our Nation recognizes all who suffer from this devastating disease, and we remember the lives lost to an illness that is entirely preventable and treatable. Today, we renew our commitment to lead the world toward the urgent goal and noble mission of turning the tide against malaria in Africa and around the world.

My Administration and our partners are working together to save lives in Africa through the President's Malaria Initiative. On a recent trip to Africa, First Lady Laura Bush and I personally saw this Initiative working and making incredible progress against malaria. By distributing insecticide-treated bed nets, expanding indoor insecticide spraying, providing cutting-edge drugs to those in need, and empowering African leaders to determine the best strategy for their country, we have brought an extraordinary

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achievement within reach: together, we can eradicate a disease that has claimed the lives of children for centuries. Millions of lives are being saved because of the kindness and generosity of the American people, and we will continue to work to ensure that our aggressive and comprehensive strategy achieves its goal.

America is a compassionate country that feeds the hungry and protects the vulnerable because we believe every human life has inherent dignity and matchless value. As the people of Africa continue their struggle against malaria, we offer our support and steadfast commitment. We call on all nations to join us in a great humanitarian effort.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 25, 2008, as Malaria Awareness Day. I encourage Americans to answer the universal call to love a neighbor and join in our goal of eliminating malaria on the African continent and elsewhere.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

### Proclamation 8247 of April 29, 2008

#### Asian/Pacific American Heritage Month, 2008

*By the President of the United States of America*

*A Proclamation*

Americans who trace their ancestry to Asia and the Pacific Islands have contributed much to our Nation. During Asian/Pacific American Heritage Month, we highlight their importance to our great Nation.

Asian/Pacific Americans have made our country better with their talents and hard work. Their values and commitment to family and community have helped shape and strengthen America. These citizens speak many languages, honor countless traditions, and practice different faiths, but they are bound by a shared commitment to freedom and liberty. The diversity among Asian/Pacific Americans adds to the cultural fabric of our society.

Asian/Pacific Americans have enriched our culture, excelling in many fields, including education, business, science, technology, government, sports, and the arts. We especially honor those Asian/Pacific Americans who have answered the call to protect the cause of freedom by serving in our Armed Forces. These brave men and women set a powerful example for all Americans.

As we celebrate Asian/Pacific American Heritage Month, we are reminded of the richness of the Asian and Pacific cultures. Asian/Pacific Americans enhance the American experience and contribute to our country's legacy of diversity.

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To honor the achievements and contributions of Asian/Pacific Americans, the Congress, by Public Law 102–450, as amended, has designated the month of May each year as “Asian/Pacific American Heritage Month.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 2008 as Asian/Pacific American Heritage Month. I call upon the people of the United States to learn more about the history of Asian/Pacific Americans and their many contributions to our Nation and to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8248 of April 29, 2008**

**Jewish American Heritage Month, 2008**

*By the President of the United States of America  
A Proclamation*

Jewish American Heritage Month is an opportunity to celebrate the history, culture, and faith of Jewish Americans and their contributions to our Nation.

The story of the Jewish people in America is the story of America itself. When the first Jewish settlers arrived on our shores hundreds of years ago, they saw a land of promise and liberty. With hard work and determination, these individuals helped build our country and strengthen our values. Their commitment to religious freedom and their belief in democracy have enriched our society and helped make our country a beacon of hope for all.

Many Jewish Americans have served in our military with valor and distinction in times of war and peace. We pay special tribute to all those who stepped forward when our country needed them most. These American heroes confronted grave dangers to protect our Nation.

During Jewish American Heritage Month and throughout the year, we honor Jewish Americans who played an integral role in shaping the cultural fabric of our Nation. Their spirit and talents have helped America succeed and prosper, and their efforts continue to remind us of the many blessings of this great country.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 2008 as Jewish American Heritage Month. I call upon all Americans to observe this month with appropriate programs and activities to honor Jewish Americans across the country.

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IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8249 of April 29, 2008**

**National Physical Fitness and Sports Month, 2008**

*By the President of the United States of America*

*A Proclamation*

Health and fitness are personal responsibilities and important national goals for our citizens. During National Physical Fitness and Sports Month, we highlight the benefits of exercise and the value of participating in sports.

It is important for all Americans to participate in activities that help maintain a healthy lifestyle. Outdoor activities such as walking, running, swimming, and biking are good for the mind, body, and soul. Regular physical activity and healthy eating habits can help reduce stress and lower the risk for many chronic health conditions such as heart disease, diabetes, and depression.

My Administration is committed to encouraging all Americans to remain physically active. Through the President's Council on Physical Fitness and Sports, the National President's Challenge allows participants of all ages to set a fitness goal and keep track of their progress as they work to achieve it. To get more information, or to sign up to participate, people can visit [presidentschallenge.org](http://presidentschallenge.org). By getting involved and exercising for 30 minutes a day, 5 days a week, Americans can improve their health and happiness and set a positive example for others.

During National Physical Fitness and Sports month and throughout the year, I encourage all Americans to make physical fitness a priority in their lives.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 2008 as National Physical Fitness and Sports Month. I call upon my fellow citizens to recognize the importance of exercise and participate in athletic activities. I also encourage individuals, schools, and communities to celebrate this month with appropriate activities and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

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**Title 3—The President**

**Proclamation 8250 of April 30, 2008**

**Law Day, U.S.A., 2008**

*By the President of the United States of America  
A Proclamation*

The right of ordinary men and women to determine their own future, protected by the rule of law, lies at the heart of America's founding principles. As our country celebrates the 50th anniversary of Law Day, we renew our commitment to the ideals on which this great Nation was established and to a robust system of ordered liberty.

The American legal system is central to protecting the rights and freedoms our Nation holds dear. The theme of this year's Law Day, "The Rule of Law: Foundation for Communities of Opportunity and Equity," recognizes the fundamental role that the rule of law plays in preserving liberty in our Nation and in all free societies. We pay tribute to the men and women in America's legal community. Through hard work and dedication to the rule of law, members of the judiciary and the legal profession help secure the rights of individuals, bring justice to our communities, and reinforce the proud traditions that make America a beacon of light for the world.

Nearly 800 years ago, the Magna Carta placed the authority of government under the rule of law; centuries later, the Declaration of Independence and the United States Constitution marked tremendous advances in the march of liberty. These documents established enduring principles that guide modern democracies. Today, we are reminded of that past and look toward a hopeful future as we work to secure the liberty that is the natural right of every man, woman, and child.

On Law Day, U.S.A., our Nation celebrates our belief in the equality of each person before God and renews our commitment to strive to bring America ever closer to its founding ideals.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, in accordance with Public Law 87–20, as amended, do hereby proclaim May 1, 2008, as Law Day, U.S.A. I call upon all the people of the United States to observe this day with appropriate ceremonies and activities. I also call upon Government officials to display the flag of the United States in support of this national observance.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8251 of May 2, 2008****National Charter Schools Week, 2008**

*By the President of the United States of America  
A Proclamation*

Education is the cornerstone of a hopeful tomorrow. During National Charter Schools Week, we highlight the contributions of charter schools to ensuring that our Nation's future leaders have the skills and knowledge necessary for a lifetime of achievement.

Charter schools are educational alternatives that empower families with additional choices for their children. By providing flexibility to educators while insisting on results, charter schools are helping foster a culture of educational innovation, accountability, and excellence. Charter schools also encourage parental involvement and help contribute to the national effort to close the achievement gap.

The No Child Left Behind Act has played a central role in America's efforts to improve our public schools and expand the opportunities available to our children. In 2007, American students reached record achievement levels on reading and math tests, and the achievement gap is beginning to close. Charter schools have been an important part of this success. National Charter Schools Week is an opportunity to recognize the strength, vitality, and excellence of outstanding schools.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 4 through May 10, 2008, as National Charter Schools Week. I applaud our Nation's charter schools and all those who make them a success, and I call on parents of charter school students to share their success stories and help Americans understand more about the important work of charter schools.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8252 of May 5, 2008****Military Spouse Day, 2008**

*By the President of the United States of America  
A Proclamation*

Military spouses embody the courage, nobility of duty, and love of country that inspire every American. On Military Spouse Day, we pay tribute to the husbands and wives who support their spouses in America's Armed Forces during times of war and peace.

The legacy of military spouses began when colonial Americans were fighting for independence. Martha Washington boosted the morale of her husband's troops by visiting battlefields and tending to the wounded. Since then, members of our Armed Forces have served our Nation accompanied by the steadfast love and support of their spouses and families.

While our men and women in uniform are protecting our country's founding ideals of liberty, democracy, and justice, their spouses live with uncommon challenges, endure sleepless nights, and spend long periods raising children alone. Many military spouses are also committed volunteers, serving other military families and local communities. Our Nation benefits from the sacrifices of our military families, and we are inspired by their courage, strength, and leadership.

On Military Spouse Day and throughout the year, we honor the commitment spouses have made to freedom's cause. To learn about ways to support our troops and their spouses and families, I encourage all Americans to visit [www.americasupportsyou.mil](http://www.americasupportsyou.mil).

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 9, 2008, as Military Spouse Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities and by expressing their gratitude to the husbands and wives of those serving in the United States Armed Forces.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

#### **Proclamation 8253 of May 8, 2008**

#### **Mother's Day, 2008**

*By the President of the United States of America  
A Proclamation*

On Mother's Day, we honor the grace, wisdom, and strength of our mothers, and we celebrate the special bonds shared between mothers and their children.

Mothers work tirelessly to help their children build healthy and successful lives. Through their positive examples and countless acts of kindness, mothers teach the values of generosity and compassion and the importance of family and community. As President Ronald Reagan said, "From our mothers, we first learn about values and caring and the difference between right and wrong." By providing a nurturing environment where their children can grow in confidence and character, mothers lay the foundation for the next generation of Americans to realize their full potential.

Our Nation is grateful for the sacrifices mothers make every day and for the unconditional love they give their children. We are especially thankful



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for the mothers who support their sons and daughters serving in our Armed Forces and for the mothers who bring honor to the uniform of the United States by defending our freedom at home and abroad.

Every child blessed with a mother's love has been given one of life's great gifts. On this Mother's Day, we recognize the extraordinary contributions America's mothers make to their children, their families, and our country.

To honor mothers, the Congress, by a joint resolution approved May 8, 1914, as amended (38 Stat. 770), has designated the second Sunday in May each year as "Mother's Day" and has requested the President to call for its appropriate observance. May God bless mothers across America on this special day and throughout the year.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 11, 2008, as Mother's Day. I encourage all Americans to show their gratitude and love to mothers for making a difference in the lives of their children, families, and communities. I call upon citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8254 of May 9, 2008**

**National Defense Transportation Day and National Transportation Week, 2008**

*By the President of the United States of America  
A Proclamation*

America's transportation system strengthens our national security and keeps our country moving. On National Defense Transportation Day and during National Transportation Week, we thank the men and women of the transportation industry for their efforts to ensure that our Nation's infrastructure operates effectively and efficiently.

Innovation, investment, and imagination have enabled new modes of transportation to revolutionize the world. Today, businesses can deliver goods and services faster than ever, first responders can quickly bring hope and healing to those in need, and people can visit loved ones across the country or around the globe. The Armed Forces utilize modern transportation to deploy troops, move supplies, and bring our heroes home from the front lines. We are grateful for the hard work of all transportation professionals.

My Administration supports the continued creation of safer, more secure, and more reliable roadways, bridges, airports, seaports, and mass transit systems. We are addressing the challenges facing our transportation system today, helping lay the groundwork for future demands, and giving State and local authorities the flexibility to solve transportation problems in their

communities. By promoting research in advanced transportation technologies, my Administration is also working to help end our reliance on foreign sources of energy, improve our environment, and strengthen our economic and national security.

To recognize the men and women who work in the transportation industry and who contribute to our Nation's well-being and defense, the Congress, by joint resolution approved May 16, 1957, as amended (36 U.S.C. 120), has requested that the President designate the third Friday in May of each year as "National Defense Transportation Day," and, by joint resolution approved May 14, 1962, as amended (36 U.S.C. 133), that the week during which that Friday falls be designated as "National Transportation Week."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim Friday, May 16, 2008, as National Defense Transportation Day and May 11 through May 17, 2008, as National Transportation Week. I encourage all Americans to learn how our modern transportation system contributes to the security of our citizens and the prosperity of our country and to celebrate these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

#### **Proclamation 8255 of May 9, 2008**

#### **Peace Officers' Memorial Day and Police Week, 2008**

*By the President of the United States of America*

*A Proclamation*

Across our Nation, law enforcement officers carry the great responsibility of protecting their fellow citizens. On Peace Officers' Memorial Day and during Police Week, we honor these brave public servants who fight crime, violence, and terrorism, and we pay homage to the heroes who have fallen in the line of duty.

With valor and devotion, our country's law enforcement officers stand watch on the front lines and help make our communities safer and more secure. Fulfilling their duties with courage and commitment, they work tirelessly and put themselves in harm's way, exemplifying the good and decent character of America.

As we observe Peace Officers' Memorial Day and Police Week, we pause to pay tribute to those who serve in law enforcement. On this occasion, we especially remember those who have made the ultimate sacrifice, and we pray for the families and friends they have left behind. We thank all the extraordinary American men and women who have answered the call to serve in law enforcement for their commitment to justice and to their communities.

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By a joint resolution approved October 1, 1962, as amended (76 Stat. 676), and by Public Law 103–322, as amended (36 U.S.C. 136–137), the President has been authorized and requested to designate May 15 of each year as “Peace Officers’ Memorial Day” and the week in which it falls as “Police Week,” and to direct that the flag be flown at half staff on Peace Officers’ Memorial Day.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 15, 2008, as Peace Officers’ Memorial Day and May 11 through May 17, 2008, as Police Week. I call on all Americans to observe these events with appropriate ceremonies and activities. I also call on Governors of the United States and the Commonwealth of Puerto Rico, officials of the other territories subject to the jurisdiction of the United States, as well as appropriate officials of all units of government, to direct that the flag be flown at half staff on Peace Officers’ Memorial Day. I further encourage all Americans to display the flag at half staff from their homes and businesses on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8256 of May 15, 2008**

**National Safe Boating Week, 2008**

*By the President of the United States of America  
A Proclamation*

Our Nation’s beautiful waterways provide opportunities for recreational activities for millions of Americans. During National Safe Boating Week, we raise awareness of the importance of practicing and promoting safe boating.

Recreational boating is one of America’s most popular pastimes, and it is important for every boater to take proper safety precautions. The United States Coast Guard encourages citizens to take preventive measures such as wearing a life jacket, never boating under the influence of drugs or alcohol, and taking a boating safety course. Too often, accidents occur on boats where the operator had not received boating safety instruction. Receiving a vessel safety check once a year will also help ensure a safe boating experience. To learn important information about boating, visit [uscgboating.org](http://uscgboating.org). During National Safe Boating Week and throughout the year, I urge all Americans to put safety first when enjoying our country’s magnificent waters.

In recognition of the importance of safe boating practices, the Congress, by joint resolution approved June 4, 1958 (36 U.S.C. 131), as amended, has authorized and requested the President to proclaim annually the 7-day period prior to Memorial Day weekend as “National Safe Boating Week.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 17 through May 23, 2008, as National Safe Boating Week. I encourage the Governors of the 50 States and the

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Commonwealth of Puerto Rico, and officials of other areas subject to the jurisdiction of the United States, to join in observing this week. I also urge all Americans to learn more about safe boating practices and always act responsibly while on the water.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8257 of May 15, 2008**

**World Trade Week, 2008**

*By the President of the United States of America  
A Proclamation*

Free and fair trade helps secure a future of freedom and promise. During World Trade Week, we recognize the positive effects of opening markets around the world. Open markets play an integral role in America's economic progress, creating better-paying jobs, expanding consumer choices, and providing increased opportunities for American workers and employers. Free and fair trade also increases economic growth among our trading partners.

My Administration is committed to expanding economic freedom worldwide. We will continue to seek an ambitious outcome in the Doha Round that will reduce and eliminate tariffs and other barriers on goods and open new markets for services trade. The Doha Round provides a once-in-a-generation opportunity to advance open markets, strengthen economic growth, and help millions rise out of poverty.

We also encourage the Congress to approve our pending trade agreements with Colombia, Panama, and South Korea. Our free trade agreement with Colombia is important, because it will support one of our closest allies in the Western Hemisphere currently under assault from a terrorist network. Congressional approval of this agreement would make clear America's unshakeable commitment to advancing the benefits of free markets and the interests of free people.

Today, nearly 250,000 U.S. firms export U.S. products. Ninety-seven percent of those exporters are small- or medium-sized businesses. The number of U.S. small business exporters has more than doubled since 1992. Those businesses have surpassed a quarter of a trillion dollars in annual export sales.

Free and fair trade helps reinforce our Nation's commitments to democracy, transparency, and the rule of law. This week and throughout the year, we recognize the importance of trade in promoting prosperity and freedom in the United States and around the world.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 18 through May 24,

2008, as World Trade Week. I encourage all Americans to observe this week with events, trade shows, and educational programs that celebrate the benefits of trade to our Nation and the global economy.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8258 of May 20, 2008**

**A Day of Solidarity With the Cuban People, 2008**

*By the President of the United States of America  
A Proclamation*

Freedom of speech, freedom of assembly, and freedom of worship are among the liberties that Americans cherish. Our Nation fully supports the brave people who work to secure these liberties in the countries where they are denied. And on this Day of Solidarity with the Cuban People, we focus our attention on the men and women working to secure freedom, democracy, and human rights for the citizens of Cuba.

For half a century, the Cuban people have suffered under oppressive dictatorship. Under the rule of Fidel and Raul Castro, Cubans have seen their political freedoms denied, their economy reduced to shambles, and their families torn apart. The Cuban people deserve better—and the American people stand with them as they work to achieve it.

The United States is rallying the free world to the cause of Cuban liberty. We continue to shine a bright light on the Castro regime's abuses—and America calls on the Government of Cuba to immediately and unconditionally release all prisoners of conscience.

We keep these prisoners, their families, and all Cubans in our prayers. Especially on this Day of Solidarity, we ask the Almighty to comfort and strengthen those who suffer under the Castro dictatorship—and to hasten the day when Cuba's suffering comes to an end.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 21, 2008, as A Day of Solidarity with the Cuban People to recognize those who are suffering in Cuba, especially Cuba's prisoners of conscience. I call upon the citizens of the United States to mark this observance with appropriate ceremonies and activities that demonstrate America's resolute support for those living under the Castro regime.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8259 of May 21, 2008**

**National Maritime Day, 2008**

*By the President of the United States of America  
A Proclamation*

On National Maritime Day, America honors our highly skilled mariners who sail the high seas, support those on the front lines of the war on terror, and promote commerce around the world.

Since 1775, the United States Merchant Marine has served our country, helping America become a great maritime power. During the Second World War, courageous mariners were among those who suffered greatly—hundreds of ships were lost to enemy action, and many mariners made the ultimate sacrifice. We pay tribute to these heroes who answered the call to serve when our Nation needed them most. Today, our merchant mariners continue to protect our homeland, including by supporting our troops in Iraq and Afghanistan.

In times of peace and war, these brave patriots help keep our Nation safe and strengthen our economy. By transporting American goods across the oceans, merchant mariners facilitate commerce and advance trade. These Americans honor the noble traditions of seafarers and enrich our country's maritime heritage.

In recognition of the importance of the U.S. Merchant Marine, the Congress, by joint resolution approved on May 20, 1933, as amended, has designated May 22 of each year as "National Maritime Day," and has authorized and requested that the President issue an annual proclamation calling for its appropriate observance.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 22, 2008, as National Maritime Day. I call upon the people of the United States to mark this observance by honoring the service of merchant mariners and by displaying the flag of the United States at their homes and in their communities. I also request that all ships sailing under the American flag dress ship on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8260 of May 22, 2008**

**Prayer for Peace, Memorial Day, 2008**

*By the President of the United States of America  
A Proclamation*

On Memorial Day, we honor the heroes who have laid down their lives in the cause of freedom, resolve that they will forever be remembered by a

grateful Nation, and pray that our country may always prove worthy of the sacrifices they have made.

Throughout our Nation's history, our course has been secured by brave Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen. These courageous and selfless warriors have stepped forward to protect the Nation they love, fight for America's highest ideals, and show millions that a future of liberty is possible. Freedoms come at great costs, yet the world has been transformed in unimaginable ways because of the noble service and devotion to duty of these brave individuals. Our country honors the sacrifice made by those who have given their lives to spread the blessings of liberty and lay the foundations of peace, and we mourn their loss.

Today, our service men and women continue to inspire and strengthen our Nation, going above and beyond the call of duty as part of the greatest military the world has ever known. Americans are grateful to all those who have put on our Nation's uniform and to their families, and we will always remember their service and sacrifice for our freedoms.

On this solemn day our country unites to pay tribute to the fallen, who demonstrated the strength of their convictions and paid the cost of freedom. We pray for the members of our Armed Forces and their families, and we ask for God's continued guidance of our country.

In respect for their devotion to America, the Congress, by a joint resolution approved on May 11, 1950, as amended (64 Stat. 158), has requested the President to issue a proclamation calling on the people of the United States to observe each Memorial Day as a day of prayer for permanent peace and designating a period on that day when the people of the United States might unite in prayer. The Congress, by Public Law 106-579, has also designated the minute beginning at 3:00 p.m. local time on that day as a time for all Americans to observe the National Moment of Remembrance.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim Memorial Day, May 26, 2008, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at 11:00 a.m. of that day as a time to unite in prayer. I also ask all Americans to observe the National Moment of Remembrance beginning at 3:00 p.m., local time, on Memorial Day. I encourage the media to participate in these observances. I also request the Governors of the United States and the Commonwealth of Puerto Rico, and the appropriate officials of all units of government, to direct that the flag be flown at half staff until noon on this Memorial Day on all buildings, grounds, and naval vessels throughout the United States, and in all areas under its jurisdiction and control. I also request the people of the United States to display the flag at half staff from their homes for the customary forenoon period.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proc. 8261**

**Title 3—The President**

**Proclamation 8261 of May 23, 2008**

### **National Hurricane Preparedness Week, 2008**

*By the President of the United States of America*

*A Proclamation*

National Hurricane Preparedness Week highlights the vital importance of being prepared when natural disasters strike.

Tropical storms can cause destruction over entire regions and claim the lives of many of our citizens. We can help reduce vulnerability in our communities by encouraging all citizens to be prepared and to work together. Maintaining emergency supply kits and family communication plans, and knowing what to do in an emergency can help save lives. For more information on hurricane preparedness, Americans can visit [ready.gov](http://ready.gov) and [fema.gov](http://fema.gov) to find checklists and other valuable resources to help them get prepared.

My Administration continues to support efforts to strengthen how Americans prepare for and respond to disasters. The National Oceanic and Atmospheric Administration works to predict and track storms so that citizens are more aware of potential storms. The Department of Homeland Security's Federal Emergency Management Agency (FEMA) has improved communication between Federal, State, local government, and the private sector in order to help citizens stay informed and receive the help they need. By working together, we can better prepare for, respond to, and recover from hurricanes and reduce the harm to our citizens and our communities.

As hurricane season approaches, we also express our gratitude to the volunteers and first responders who help their fellow citizens in their time of need.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 25 through May 31, 2008, as National Hurricane Preparedness Week. I call upon government agencies, private organizations, schools, and the media to share information about hurricane preparedness. I also urge all Americans living in vulnerable coastal areas to take appropriate measures and precautions to protect themselves, their homes, and their communities against the effects of hurricanes.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH



**Proclamation 8262 of May 29, 2008****Caribbean-American Heritage Month, 2008**

*By the President of the United States of America  
A Proclamation*

Caribbean-American Heritage Month is an opportunity to show our appreciation for the many ways Caribbean Americans have contributed to our country.

Caribbean Americans have helped to shape our national fabric with their vibrant traditions and their unique history. They have brightened our lives with the spirit and vitality of their culture. Through strong leadership and pride in their heritage, they have enriched America. In all walks of life, they have contributed their many talents and added to our Nation's development and prosperity.

We especially show our gratitude for the men and women of Caribbean descent who have served bravely in our Armed Forces and those still serving today. These heroes have answered a call greater than self, and we keep them in our thoughts and prayers.

During June, we celebrate and recognize the Caribbean Americans whose determination and hard work have helped make our country a better place.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 2008 as Caribbean-American Heritage Month. I encourage all Americans to learn more about the history and culture of Caribbean Americans and their contributions to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8263 of May 29, 2008****National Homeownership Month, 2008**

*By the President of the United States of America  
A Proclamation*

For many Americans, owning a home represents freedom, independence, and the American dream. During National Homeownership Month, we highlight the benefits of owning a home and encourage our fellow citizens to be responsible homeowners.

My Administration is committed to helping Americans achieve their dreams of homeownership. We have worked to ensure that the mortgage industry is more transparent, reliable, and fair, and in order to sustain homeownership, we have launched initiatives to help responsible homeowners keep their homes. The FHA Secure program has given the Federal Housing Administration more flexibility in refinancing mortgages for homeowners who have good credit histories but cannot afford their current payments. In addition, the HOPE NOW Alliance connects struggling homeowners with lenders, loan servicers, and mortgage counselors to help families stay in their homes. Homeowners deserve our help, and these initiatives assist those in need.

During National Homeownership Month and throughout the year, I encourage all Americans to take advantage of financial education opportunities to explore homeownership. My Advisory Council on Financial Literacy is finding ways to help educate people from all walks of life about matters pertaining to their finances and their futures. By practicing fiscal responsibility, Americans can contribute to the strength of our neighborhoods and our country.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 2008 as National Homeownership Month. I call upon the people of the United States to join me in recognizing the importance of homeownership and building a more prosperous future for themselves and their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

#### **Proclamation 8264 of May 30, 2008**

#### **Black Music Month, 2008**

*By the President of the United States of America  
A Proclamation*

America's diverse musical heritage exemplifies the creativity and optimism of our Nation. During Black Music Month, we celebrate the extraordinary talents and creativity of African-American singers, musicians, and composers whose achievements have enriched our culture and enhanced our lives.

For generations, African-American artists have created music that communicates across racial boundaries and expresses both joy and sorrow. When facing the cruelty of slavery and injustice, African Americans lifted spirituals to the heavens, bringing comfort to troubled souls. These timeless declarations of hope and faith evolved into the more modern genres of gospel, blues, ragtime, and jazz, and they are given voice in the musical genius

of Scott Joplin, Marian Anderson, Eubie Blake, and Mahalia Jackson. During the Civil Rights era, African-American musicians such as Duke Ellington, Muddy Waters, and Ruth Brown conveyed the struggles of their communities while bringing people of all backgrounds together. Today, this music continues to inspire America's citizens and advance its creative spirit.

Throughout the course of American history, black musicians have used their great talents to share the richness of the African-American experience and to develop a uniquely American style of music enjoyed throughout the world. This month, we honor the pioneers of African-American music and today's contemporary artists who have enriched the lives of people everywhere.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 2008 as Black Music Month. I encourage all Americans to learn more about the history of black music and to enjoy the great contributions of African-American singers, musicians, and composers.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

#### **Proclamation 8265 of May 30, 2008**

#### **Great Outdoors Month, 2008**

*By the President of the United States of America  
A Proclamation*

From the Appalachian Mountains to the Grand Canyon, America is blessed with places of natural beauty where our citizens can discover the full splendor of this great Nation. During Great Outdoors Month, our Nation celebrates the grandeur of our open spaces, strengthens our commitment to preserving this heritage, and reaffirms our dedication to protecting our air, water, and lands.

My Administration remains dedicated to wise stewardship of the environment, and we will continue to protect our Nation's natural wonders. This past year, we have made great strides in helping wildlife thrive and in restoring habitat for migratory birds through cooperative conservation. Working with State and tribal officials, we are preserving important wildlife habitats and expanding the National Wildlife Refuge system. Citizens can visit [takepride.gov](http://takepride.gov) to learn more about opportunities to care for our environment.

Great Outdoors Month is an opportunity to honor those who work to keep our natural places beautiful and to celebrate some of our country's favorite outdoor pastimes. These activities encourage a healthy lifestyle and give Americans pride in the great American landscape. As responsible stewards

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**Title 3—The President**

of our natural resources, we can help ensure that the great outdoors will be available for enjoyment by generations to come.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 2008 as Great Outdoors Month. I call on all Americans to observe this month with appropriate programs and activities, and to take time to visit and enjoy the great outdoors.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8266 of May 30, 2008**

**Italian Independence Day, 2008**

*By the President of the United States of America  
A Proclamation*

On Italian Independence Day, we recognize our friendship with the nation of Italy, and we celebrate the generations of Italian Americans who have made significant contributions to our national character.

June 2, 1946, marks the birth of the Italian Republic, the long-awaited triumph of liberty and democracy in an ancient land. Today, Italy is a friend of the United States and an ally of freedom and peace. Italians and Americans join together on Italian Independence Day to commemorate Italy's independence and celebrate its rich history.

The people of our two countries share special ties rooted in history, friendship, and family. Millions of American citizens have Italian ancestry, and they and their forebears have helped shape our way of life. Americans are grateful for the many contributions Italians and Italian Americans have made to our history and our culture, and we are proud that our nations are allies in the cause of peace and security around the world.

In celebrating Italian Independence Day, we commemorate the freedoms our countries hold dear, and we honor the generations of Italian Americans who came to our shores seeking opportunity. They have helped to shape our great Nation and influenced American life for the better.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 2, 2008, as Italian Independence Day. I call upon all Americans to observe this day by celebrating the contributions of Italians and Italian Americans to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8267 of May 30, 2008****National Child's Day, 2008**

*By the President of the United States of America*

*A Proclamation*

America has a duty to provide its children with the support and skills they need to become the next generation of responsible leaders. On National Child's Day, we underscore the importance of fostering the love, encouragement, and protection that empowers our children to become happy and successful adults.

Children are a precious gift who need the love and support of family and friends to lead lives rich in promise and fulfillment. Parents are the most vital part of a child's life, providing them with the guidance and discipline to make the right choices and understand the consequences of their actions. Family, teachers, and others inspire our youth to use their talents and to become confident and caring adults. Religious and community leaders also have a role in teaching values and encouraging children to love their neighbors just as they would like to be loved themselves. Together, we can all help our children be prepared to meet life's challenges and realize the great promise of our country.

My Administration continues to support programs that help prepare America's youth for the opportunities ahead. The No Child Left Behind Act requires that every child have access to a quality education. We have made significant progress toward that goal across the country, with students achieving record math and reading scores. The America COMPETES Act, which was built upon my American Competitiveness Initiative, helped strengthen our goal of staying competitive within the global economy. The Helping America's Youth initiative, led by First Lady Laura Bush, encourages adults to work to help our young people reach their full potential.

On National Child's Day and throughout the year, we honor the boys and girls of America and show our gratitude to those who work to support them. This day is a reminder to us all that our commitment to children helps make our country a better place.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 1, 2008, as National Child's Day. I call upon all our citizens to celebrate National Child's Day with appropriate ceremonies and activities. I also urge all Americans to dedicate time and energy to educating our youth and providing them with a safe and caring environment.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of May, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8268 of June 2, 2008

**National Oceans Month, 2008**

*By the President of the United States of America  
A Proclamation*

Oceans have provided an important part of our heritage, economy, and recreation, and they are a vital resource for our country and the world. During National Oceans Month, we reaffirm our commitment to protect and wisely use these precious waters and the habitat beneath them.

We have a solemn responsibility to care for our seas and show concern for the plant and animal life that inhabit them. Oceans bring enjoyment and prosperity to countless people, from boating and fishing, to transporting goods, to traveling the waterways. By being good stewards of the oceans, we can ensure that future generations are able to enjoy the great blessings of our natural heritage.

My Administration is committed to safeguarding the oceans and ensuring effective conservation. Since the release of my Ocean Action Plan in 2004, we have taken steps to prevent pollution and improve the health of marine wildlife by working with State, tribal, and local governments, as well as private sector and international partners. We are working to end overfishing in U.S. waters and to stop destructive fishing practices on the high seas. We are also supporting ocean programs to educate the public on the need to prevent marine debris and improve the quality of the marine environment, as well as other projects such as the International Coral Reef Initiative that can help conserve and restore delicate and essential ecosystems. By working to protect our oceans, we ensure that natural wonders like the Papahānaumokuākea Marine National Monument in the Northwestern Hawaiian Islands will be enjoyed for generations to come.

This month is an opportunity to show our gratitude toward all those who work to protect the oceans, to learn more about the vital role oceans play in the life of our country, and to discover ways we can conserve their many natural treasures.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 2008 as National Oceans Month. I encourage all our citizens to observe this month with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of June, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proclamation 8269 of June 6, 2008****Flag Day and National Flag Week, 2008**

*By the President of the United States of America  
A Proclamation*

The American flag has been our national symbol for 231 years, and it remains a beacon of freedom wherever it is flown. Since the Second Continental Congress adopted the Stars and Stripes as our flag in 1777, it has stood for freedom, justice, and the resolve of our Nation.

When Francis Scott Key saw the American flag flying over Fort McHenry in 1814, he believed that liberty would triumph. The flag that inspired Key to write our National Anthem still energizes and emboldens the American spirit today. As our Nation faces the challenges of a new era, Old Glory reminds us that liberty can prevail over oppression.

Since the first days of our Republic, Americans have flown the flag to show their pride and appreciation for the freedoms they enjoy in this great Nation. Every day, Americans pledge their allegiance to the flag of the United States, and our troops carry it before them as they defend the liberties for which it stands.

On Flag Day and during National Flag Week, we remember those in uniform whose courage and sacrifice inspire us here at home. We also remember the rich history of one of our oldest national symbols and reflect on our duty to carry our heritage of freedom into the future.

To commemorate the adoption of our flag, the Congress, by joint resolution approved August 3, 1949, as amended (63 Stat. 492), designated June 14 of each year as “Flag Day” and requested that the President issue an annual proclamation calling for its observance and for the display of the flag of the United States on all Federal Government buildings. The Congress also requested, by joint resolution approved June 9, 1966, as amended (80 Stat. 194), that the President issue annually a proclamation designating the week in which June 14 occurs as “National Flag Week” and calling upon all citizens of the United States to display the flag during that week.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim June 14, 2008, as Flag Day and the week beginning June 8, 2008, as National Flag Week. I direct the appropriate officials to display the flag on all Federal Government buildings during that week, and I urge all Americans to observe Flag Day and National Flag Week by flying the Stars and Stripes from their homes and other appropriate places. I also call upon the people of the United States to observe with pride and all due ceremony those days from Flag Day through Independence Day, also set aside by the Congress (89 Stat. 211), as a time to honor America, to celebrate our heritage in public gatherings and activities, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of June, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

**Proc. 8270**

**Title 3—The President**

**Proclamation 8270 of June 12, 2008**

**Father's Day, 2008**

*By the President of the United States of America  
A Proclamation*

On Father's Day, we honor our Nation's fathers for the unconditional love they give to their children and for their selfless dedication to the well-being of their families.

Fathers play a unique and irreplaceable part in the lives of their children and pass along values that help children grow into responsible adults. By providing their sons and daughters with a positive example, fathers help give their children the necessary foundation they need to make wise decisions throughout their lives. Fathers strive to inspire their children to lead lives of integrity, honor, and purpose, and they pray for wisdom and the strength to give their children the love and support they need to achieve their dreams.

All Americans are thankful for the extraordinary efforts of our Nation's fathers, stepfathers, grandfathers, and guardians. Their devotion and encouragement as mentors, providers, and role models help strengthen their families and our country. We are especially grateful for the fathers who serve in our Nation's Armed Forces. These dedicated fathers protect liberty so that all children can have a more promising future. We pray for the safe return of all those serving overseas, and we thank the fathers who support sons and daughters who are defending our freedom around the globe.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, in accordance with a joint resolution of the Congress approved April 24, 1972, as amended (36 U.S.C. 109), do hereby proclaim June 15, 2008, as Father's Day. I encourage all Americans to express their appreciation to all fathers for their many contributions to our Nation's children. I direct the appropriate officials of the Government to display the flag of the United States on all Government buildings on this day. I also call upon State and local governments and citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of June, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH



Proclamation 8271 of June 26, 2008

**Termination of the Exercise of Authorities Under the  
Trading With the Enemy Act With Respect to North Korea**

*By the President of the United States of America  
A Proclamation*

I, GEORGE W. BUSH, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States, including section 101(b) of Public Law 95–223 (91 Stat. 1625; 50 U.S.C. App. 5(b) note), hereby find that the continuation of the exercise of authorities under the Trading With the Enemy Act (50 U.S.C. App. 1 *et seq.*) (TWEA) with respect to North Korea, as authorized in Proclamation 2914 of December 16, 1950, most recently continued under Presidential Determination 2007–32 of September 13, 2007 (72 *FR* 53407), and implemented by the regulations set forth below, is no longer in the national interest of the United States.

**Section 1.** The exercise of TWEA authorities with respect to North Korea, which were implemented by the Foreign Assets Control Regulations, 31 C.F.R. part 500, and the Transaction Control Regulations, 31 C.F.R. part 505, and that were continued by Presidential Determination 2007–32 of September 13, 2007, is terminated, and Presidential Determination 2007–32 is rescinded with respect to North Korea.

**Sec. 2.** The Secretary of the Treasury is authorized and directed to take all appropriate measures within the Secretary’s authority to give effect to this proclamation.

**Sec. 3.** This proclamation is not intended to, and does not, create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

**Sec. 4.** This proclamation is effective at 12:01 a.m. eastern daylight time on June 27, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of June, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8272 of June 30, 2008

**To Modify Duty-Free Treatment Under the Generalized System of Preferences, Take Certain Actions Under the African Growth and Opportunity Act, and for Other Purposes**

*By the President of the United States of America  
A Proclamation*

1. Pursuant to section 503(c)(2)(A) of the Trade Act of 1974, as amended (the “1974 Act”) (19 U.S.C. 2463(c)(2)(A)), beneficiary developing countries, except those designated as least-developed beneficiary developing countries or beneficiary sub-Saharan African countries as provided in section 503(c)(2)(D) of the 1974 Act (19 U.S.C. 2463(c)(2)(D)), are subject to competitive need limitations on the preferential treatment afforded under the Generalized System of Preferences (GSP) to eligible articles.

2. Pursuant to sections 501 and 503(a)(1)(A) of the 1974 Act (19 U.S.C. 2461 and 2463(a)(1)(A)), the President may designate articles as eligible for preferential tariff treatment under the GSP.

3. Section 503(c)(2)(F)(i) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)(i)) provides that the President may disregard the competitive need limitation provided in section 503(c)(2)(A) (i)(II) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)(i)(II)) with respect to any eligible article from any beneficiary developing country if the aggregate appraised value of the imports of such article into the United States during the preceding calendar year does not exceed an amount set forth in section 503(c)(2)(F)(ii) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)(ii)).

4. Pursuant to section 503(d)(1) of the 1974 Act (19 U.S.C. 2463(d)(1)), the President may waive the application of the competitive need limitations in section 503(c)(2)(A) of the 1974 Act with respect to any eligible article from any beneficiary developing country if certain conditions are met.

5. Pursuant to section 503(d)(5) of the 1974 Act (19 U.S.C. 2463(d)(5)), any waiver granted under section 503(d) shall remain in effect until the President determines that such waiver is no longer warranted due to changed circumstances.

6. Section 502(e) of the 1974 Act (19 U.S.C. 2462(e)) provides that the President shall terminate the designation of a country as a beneficiary developing country for purposes of the GSP if the President determines that such country has become a “high income” country as defined by the official statistics of the International Bank for Reconstruction and Development. Termination is effective on January 1 of the second year following the year in which such determination is made.

7. Pursuant to section 503(c)(2)(A) of the 1974 Act, I have determined that in 2007 certain beneficiary developing countries have exported certain eligible articles in quantities exceeding the applicable competitive need limitations, and I therefore terminate the duty-free treatment for such articles from such beneficiary developing countries.

8. Pursuant to section 503(c)(2)(F) of the 1974 Act, I have determined that the competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the 1974 Act should be disregarded with respect to certain eligible articles from certain beneficiary developing countries.

9. Pursuant to section 503(d)(1) of the 1974 Act, I have received the advice of the United States International Trade Commission on whether any industries in the United States are likely to be adversely affected by such waivers, and I have determined, based on that advice and on the considerations described in sections 501 and 502(c) of the 1974 Act (19 U.S.C. 2462(c)), and after giving great weight to the considerations in section 503(d)(2) of the 1974 Act (19 U.S.C. 2463(d)(2)), that such waivers are in the national economic interest of the United States. Accordingly, I have determined that the competitive need limitations of section 503(c)(2)(A) of the 1974 Act should be waived with respect to certain eligible articles from certain beneficiary developing countries.

10. Pursuant to section 503(d)(5) of the 1974 Act, I have determined that certain previously granted waivers of the competitive need limitations of section 503(c)(2)(A) of the 1974 Act are no longer warranted due to changed circumstances.

11. Pursuant to section 502(e) of the 1974 Act, I have determined that Trinidad and Tobago has become a “high income” country, and I am terminating the designation of that country as a beneficiary developing country for purposes of the GSP, effective January 1, 2010.

12. Section 502(a)(1) of the 1974 Act (19 U.S.C. 2462(a)(1)) authorizes the President to designate countries as beneficiary developing countries for purposes of the GSP. In Proclamation 7912 of June 29, 2005, I designated Serbia and Montenegro as a beneficiary developing country for purposes of the GSP. On June 3, 2006, upon Montenegro’s declaration of independence from Serbia and Montenegro, the country separated into two independent republics: the Republic of Serbia and the Republic of Montenegro. Pursuant to section 502 of the 1974 Act, and taking into account the factors set forth in section 502(c) of that Act, I have determined that, in light of the separation of Serbia and Montenegro into two countries, the Republic of Serbia and the Republic of Montenegro should each be designated as a beneficiary developing country for purposes of the GSP.

13. Section 506A(a)(1) of the 1974 Act (19 U.S.C. 2466a(a)(1)), as added by section 111(a) of the African Growth and Opportunity Act (title I of Public Law 106–200, 114 Stat. 254) (AGOA), authorizes the President to designate a country listed in section 107 of the AGOA (19 U.S.C. 3706) as a beneficiary sub-Saharan African country if the President determines that the country meets the eligibility requirements set forth in section 104 of the AGOA (19 U.S.C. 3703) and the eligibility criteria set forth in section 502 of the 1974 Act (19 U.S.C. 2462).

14. Section 104 of the AGOA authorizes the President to designate a country listed in section 107 of the AGOA as an eligible sub-Saharan African country if the President determines that the country meets certain eligibility requirements.

15. Section 112(c) of the AGOA (19 U.S.C. 3721(c)), as added by section 6002(a) of the Africa Investment Incentive Act of 2006 (division D of title

VI of Public Law 109–432, 120 Stat. 2922), provides special rules for certain apparel articles imported from lesser developed beneficiary sub-Saharan African countries.

16. Pursuant to section 104 of the AGOA and section 506A(a)(1) of the 1974 Act, I have determined that the Union of the Comoros (Comoros) meets the eligibility requirements set forth or referenced therein, and I have decided to designate Comoros as an eligible sub-Saharan African country and beneficiary sub-Saharan African country.

17. I have further determined that Comoros satisfies the criterion for treatment as a lesser developed beneficiary sub-Saharan African country under section 112(c)(5)(D)(i) of the AGOA.

18. On August 5, 2004, the United States entered into the Dominican Republic-Central America-United States Free Trade Agreement (the “Agreement”) with Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua. The Congress approved the Agreement in section 101(a) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (the “CAFTA-DR Act”) (19 U.S.C. 4011).

19. Pursuant to section 403(a) of the CAFTA-DR Act (19 U.S.C. 4111(a)), the President is to report biennially to the Congress on the matters described in that section and, as the President deems appropriate, in section 403(b)(2) of the CAFTA-DR Act (19 U.S.C. 4111(b)(2)).

20. Pursuant to section 403(a)(4) of the CAFTA-DR Act (19 U.S.C. 4111(a)(4)), the President is to establish a mechanism to solicit public comments on the matters described in section 403(a)(3)(D) of the CAFTA-DR Act (19 U.S.C. 4111(a)(3)(D)).

21. In Presidential Proclamation 8213 of December 20, 2007, I modified the Harmonized Tariff Schedule of the United States (HTS) pursuant to section 1634 of the Pension Protection Act of 2006 (Public Law 109–280, 120 Stat. 780) to carry out the understandings described in that section. Technical rectifications to the HTS are required to provide the intended tariff treatment.

22. In Presidential Proclamation 8240 of April 17, 2008, pursuant to section 503(c)(2)(A) of the 1974 Act, I modified the HTS to withdraw duty-free treatment for certain articles from Jamaica. A technical rectification to the HTS is required to provide the intended tariff treatment.

23. Section 604 of the 1974 Act (19 U.S.C. 2483) authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other Acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to title V and section 604 of the 1974 Act, section 104 of the AGOA, section 301 of title 3, United States Code (3 U.S.C. 301), and section 403 of the CAFTA-DR Act, do proclaim that:

(1) In order to provide that one or more countries should no longer be treated as beneficiary developing countries with respect to one or more eligible

articles for purposes of the GSP, general note 4(d) to the HTS is modified as set forth in section A of Annex I to this proclamation.

(2) In order to provide that one or more countries should not be treated as beneficiary developing countries with respect to certain eligible articles for purposes of the GSP, the Rates of Duty 1-Special subcolumn for such HTS subheadings is modified as set forth in section B of Annex I to this proclamation.

(3) In order to designate certain articles as eligible articles for purposes of the GSP, the Rates of Duty 1-Special subcolumn for such HTS subheadings is modified as set forth in section C of Annex I to this proclamation.

(4) The competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the 1974 Act is disregarded with respect to the eligible articles in the HTS subheadings and to the beneficiary developing countries listed in Annex II to this proclamation.

(5) A waiver of the application of section 503(c)(2)(A) of the 1974 Act shall apply to the eligible articles in the HTS subheadings and to the beneficiary developing countries set forth in Annex III to this proclamation.

(6) The waivers of the application of section 503(c)(2)(A) of the 1974 Act to the articles in the HTS subheadings and to the beneficiary developing countries listed in Annex IV to this proclamation are revoked.

(7) The designation of Trinidad and Tobago as a beneficiary developing country for purposes of the GSP is terminated, effective on January 1, 2010.

(8) In order to reflect this termination in the HTS, general note 4(a) to the HTS is modified by deleting “Trinidad and Tobago” from the list of independent countries, effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 2010.

(9) The Republic of Serbia is designated as a beneficiary developing country for purposes of the GSP.

(10) In order to reflect this designation in the HTS, general note 4(a) is modified by deleting “Serbia and Montenegro” and adding in alphabetical order “Serbia” to the list of independent countries, effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the thirtieth day after the date of this proclamation.

(11) The Republic of Montenegro is designated as a beneficiary developing country for purposes of the GSP.

(12) In order to reflect this designation in the HTS, general note 4(a) is modified by adding in alphabetical order “Montenegro” to the list of independent countries, effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the thirtieth day after the date of this proclamation.

(13) Comoros is designated as an eligible sub-Saharan African country and as a beneficiary sub-Saharan African country for purposes of the AGOA.

(14) In order to reflect this designation in the HTS, general note 16(a) to the HTS is modified by inserting in alphabetical sequence in the list of beneficiary sub-Saharan African countries “Union of the Comoros,” effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2008.

(15) For purposes of section 112(c) of the AGOA, Comoros is a lesser developed beneficiary sub-Saharan African country.

(16) The modifications to the HTS set forth in Annexes I and IV to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the dates set forth in the respective annex.

(17) The Secretary of Labor, in consultation with the United States Trade Representative, shall carry out the reporting function under sections 403(a) and 403(b)(2) of the CAFTA-DR Act.

(18) The Secretary of Labor, in consultation with the United States Trade Representative, shall solicit public comments under section 403(a)(4) of the CAFTA-DR Act.

(19) In order to provide the intended tariff treatment to certain articles of Jamaica, the HTS is modified as set forth in Annex V to this proclamation.

(20) The modifications to the HTS set forth in Annex V to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date set forth in Annex V.

(21) In order to provide the intended tariff treatment to goods subject to the understandings carried out in Proclamation 8213, the HTS is modified as set forth in Annex VI to this proclamation.

(22) The modifications to the HTS set forth in Annex VI to this proclamation shall enter into effect on the date that the modifications to the HTS set out in section C or D of the Annex to Proclamation 8213, as appropriate, enter into force, and shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after that date.

(23) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of June in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamations

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ANNEX I

**MODIFICATIONS TO THE HARMONIZED TARIFF  
SCHEDULE OF THE UNITED STATES**

Section A. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2008, general note 4(d) to the Harmonized Tariff Schedule of the United States (HTS) is modified by:

(1). adding, in numerical sequence, the following subheading numbers and the countries set out opposite such subheading numbers:

0711.20.18	Argentina	1901.20.45	Argentina
0711.90.30	Turkey	2008.30.37	Argentina
0802.50.20	Turkey	2008.99.28	Turkey
0804.20.60	Turkey	3301.24.00	India
0910.99.40	Turkey	3824.90.40	Indonesia
1007.00.00	Argentina	7113.19.29	India
1202.20.40	Argentina	7202.41.00	Kazakhstan
1701.91.10	Philippines	7202.93.80	Brazil
1701.91.80	Brazil	7413.00.50	Turkey
1901.20.05	Turkey	9602.00.50	Colombia

(2). adding, in alphabetical order, the following countries opposite the following subheading numbers:

2306.30.00	Argentina	7901.12.50	Kazakhstan
2401.20.57	India	8544.30.00	Indonesia
7113.19.50	Turkey		

Section B. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2008, the HTS is modified as provided in this section. For each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A" and inserting the symbol "A\*" in lieu thereof:

0711.20.18	1701.91.80	7113.19.29
0711.90.30	1901.20.05	7202.41.00
0802.50.20	1901.20.45	7202.93.80
0804.20.60	2008.30.37	7413.00.50
0910.99.40	2008.99.28	9602.00.50
1007.00.00	3301.24.00	
1202.20.40	3824.90.40	
1701.91.10		

Section C. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2008, the HTS is modified as provided in this section. For each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A+" and inserting the symbol "A" in lieu thereof:

7601.10.30  
7601.20.30  
7604.21.00

## ANNEX II

**HTS Subheadings and Countries for Which the Competitive Need  
Limitation Provided in Section 503(c)(2)(A)(i)(II) Is Disregarded**

0410.00.00	Indonesia	2903.69.05	India	4107.91.40	India
0603.13.00	Thailand	2907.29.25	India	4107.92.40	India
0708.10.20	Peru	2908.99.20	India	4202.22.35	India
0710.80.50	Turkey	2909.30.10	India	4202.92.04	Philippines
0711.40.00	India	2909.50.40	Indonesia	4601.22.40	Indonesia
0713.90.60	India	2912.49.10	India	4602.19.05	India
0804.10.60	Pakistan	2913.00.50	India	5208.31.20	India
0810.60.00	Thailand	2914.40.10	Brazil	5208.41.20	India
0813.40.10	Thailand	2918.21.50	Brazil	5208.42.10	India
0813.40.80	Thailand	2921.42.21	India	5209.31.30	India
1601.00.40	Brazil	2921.42.23	India	5209.41.30	India
1604.14.50	Philippines	2921.42.55	India	5209.51.30	India
1701.11.05	Costa Rica	2924.21.50	India	5308.90.10	Brazil
1806.10.43	Venezuela	2926.90.08	India	5311.00.60	India
2001.90.45	India	2927.00.30	India	5607.90.35	Philippines
2008.30.96	Thailand	2930.20.10	India	6304.99.25	India
2008.99.50	Thailand	2932.29.25	India	7113.20.21	Thailand
2516.20.20	India	2934.20.35	India	7202.99.20	Argentina
2603.00.00	Peru	3808.93.20	Indonesia	7403.12.00	India
2827.39.25	India	3808.94.10	Argentina	7407.10.15	Thailand
2827.39.45	India	3824.75.00	Brazil	7801.99.30	Colombia
2827.41.00	India	3824.90.32	Brazil	8102.99.00	Russia
2830.90.20	Russia	4006.10.00	India	8107.90.00	India
2831.90.00	India	4101.20.35	Thailand	8112.12.00	Kazakhstan
2833.29.40	India	4101.90.35	Pakistan	8112.19.00	Kazakhstan
2836.99.40	India	4104.11.40	Argentina	8112.59.00	Russia
2840.11.00	Turkey	4104.19.30	Pakistan	8507.40.40	Philippines
2840.19.00	Turkey	4104.41.40	Argentina	8528.72.16	Thailand
2841.50.10	Colombia	4106.22.00	Pakistan	8528.72.36	Thailand
2841.61.00	India	4107.11.60	Brazil	9027.50.10	Philippines
2843.30.00	Brazil	4107.12.70	Colombia	9603.10.90	Sri Lanka
2903.19.10	India	4107.19.40	India		



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ANNEX III

**HTS Subheadings and Countries Granted a Waiver of the Application of Section 503(c)(2)(A) of the 1974 Act**

2001.10.00	India
4011.10.10	Indonesia
7413.00.50	Turkey

ANNEX IV

**HTS Subheadings and Countries for a which a Waiver of the Application of Section 503(c)(2)(A) of the 1974 Act is Revoked**

Effective July 1, 2008, the waiver of the application of section 503(c)(2)(A) of the 1974 Act is revoked for the following HTS subheadings and the countries set out opposite such subheadings.

1202.20.40	Argentina
7113.19.29	India
7113.19.50	Turkey
7202.93.80	Brazil

ANNEX V

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after April 17, 2008, the Rates of Duty 1-Special subcolumn for subheading 2202.90.37 is modified by deleting the symbol "A" and by inserting of the symbol "A\*" in lieu there.

ANNEX VI

Effective with respect to goods that are entered, or withdrawn from warehouse for consumption, on or after the effective date of sections D and C, respectively, of the Annex to Presidential Proclamation 8213 of December 20, 2007, the Harmonized Tariff Schedule of the United States (HTS) is hereby modified as follows:

1. Subheading 9822.05.05 (as established by section D, item 3 of the Annex to such Proclamation 8213) is deleted and the following new provisions are inserted in numerical sequence in subchapter XXII of chapter 98, with the material inserted in the columns entitled "Heading/Subheading", "Article Description", and "Rates of Duty 1 Special":

	: "Apparel goods of chapter 62 for which the treatment	:	:	:
	: provided in U.S. note 21 to this subchapter is appropriate:	:	:	:
9822.05.11	: If entered into the customs territory of the	:	:	:
	: United States in aggregate quantities not to	:	:	:
	: exceed the quantitative limit specified in U.S.	:	:	:
	: note 21(b) to this subchapter.....	:	Free (P)	:
	:	:	:	:
9822.05.13	: Goods specified in U.S. note 21(c) to this	:	:	:
	: subchapter.....	:	Free (P)"	:

Conforming change: U.S. note 21(a) (as established by section D, item 2 of the Annex to Proclamation 8213) is modified by deleting "heading 9822.05.05" and by inserting in lieu thereof "subheadings 9822.05.11 and 9822.05.13".

2. The article description of subheading 9822.05.60 (as established by section C of the Annex to Proclamation 8213) is modified by deleting the phrase "(except goods for boys)" and by inserting in lieu thereof "(for goods for boys)".

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**Title 3—The President**

**Proclamation 8273 of July 14, 2008**

**FBI Day, 2008**

*By the President of the United States of America*  
*A Proclamation*

For 100 years, the committed men and women of the Federal Bureau of Investigation have worked diligently to deliver justice and keep Americans safe. On FBI Day, we recognize the Bureau's many accomplishments and pay tribute to all who have served in its ranks with valor and dedication.

The FBI traces its origins to 1908, when under the leadership of President Theodore Roosevelt and Attorney General Charles Bonaparte, a force of Special Agents was created, later to be called the Bureau of Investigation. As a Federal agency with the power to investigate crimes across State lines and enforce Federal law, the FBI has protected our country against threats from abroad and caught dangerous criminals like "Baby Face" Nelson, John Dillinger, Ted Kaczynski, and Ramzi Yousef. Today, the FBI is charged with guarding our Nation from terrorist attacks, combating public corruption and organized crime, resisting cyber attacks, and opposing other high-technology crimes. The FBI also has a deep commitment to civil rights, helping protect the values we cherish.

With an abiding respect for the Constitution, the men and women of the FBI bring strength, impartiality, and devotion to their pursuit of justice. They continue to uphold their motto of "Fidelity, Bravery, Integrity." On FBI Day, we especially remember the fallen agents who paid the ultimate price in serving our country and keeping our Nation safe.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim July 26, 2008, as FBI Day. I call upon all Americans to recognize the 100th anniversary of the Federal Bureau of Investigation.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of July, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8274 of July 18, 2008**

**Captive Nations Week, 2008**

*By the President of the United States of America*  
*A Proclamation*

Freedom is the longing of every soul and the birthright of all mankind. During Captive Nations Week, we underscore our commitment to advancing democracy, defending liberty, and protecting human rights around the world.

It is in our Nation's interest to help those who are suffering under oppressive regimes defeat the ideologues of hate with an ideology of hope. Advancing the cause of liberty advances the cause of peace. A free society upholds justice and defends human dignity. Over the years, many have underestimated the power of freedom to overcome tyranny, but history has shown us that freedom will prevail.

In the 20th century, the evils of Soviet communism and Nazi fascism were defeated and freedom spread around the world as new democracies emerged. Today, our Nation faces new struggles with adversaries who murder the innocent and seek to subject millions to their violent, totalitarian rule. Still, we remain confident that the light of liberty will again overcome this darkness.

To bring that day about, we must support young democracies in places like Afghanistan and Iraq. In countries like Belarus, Burma, Cuba, Iran, North Korea, Sudan, Syria, and Zimbabwe, people continue to live under oppressive regimes, and we will work for the day when all these nations are free. By opposing these despots and helping young democracies grow, we will lay the foundation of peace and prosperity for generations to come. Throughout Captive Nations Week, we renew our pledge that as people across the world find their own paths to freedom, they will also find a friend in the United States of America.

The Congress, by Joint Resolution approved July 17, 1959 (73 Stat. 212), has authorized and requested the President to issue a proclamation designating the third week in July of each year as "Captive Nations Week."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim July 20 through July 26, 2008, as Captive Nations Week. I call upon the people of the United States to reaffirm our commitment to all those seeking liberty, justice, and self-determination.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of July, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

#### **Proclamation 8275 of July 23, 2008**

### **60th Anniversary of the Integration of the United States Armed Forces**

*By the President of the United States of America  
A Proclamation*

The United States is founded upon the belief that every person has unalienable rights and matchless value. Throughout our Nation's history, brave patriots have made great sacrifices to protect this ideal and to advance the cause of freedom around the world. On the 60th anniversary of the integration of the United States Armed Forces, we pay tribute to all our

service members and veterans, and we underscore our Nation's commitment to equality.

On July 26, 1948, President Harry Truman signed Executive Order 9981, declaring "that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin." Today, members of our Armed Forces come from many different backgrounds and cultures and are answering the call to service with bravery, decency, and resolve.

Our Nation has long drawn strength from the diversity of its citizens. Groups such as the Buffalo Soldiers, the 442nd Regimental Combat Team, the Tuskegee Airmen, and the "Borinqueneers" risked their lives while proudly wearing the uniform of the United States. By performing their missions with integrity and honor, they highlighted the power of liberty, helped open the door of opportunity, and earned the respect and admiration of a grateful Nation.

On this anniversary, we celebrate the legacy of those who refused to allow adversity to diminish their spirit or extinguish their drive to help America live up to its promise of equality for all people. We also commemorate our veterans and service members whose noble and selfless actions have inspired generations of men and women to follow in their footsteps and made our country a more hopeful place.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim July 26, 2008, as the 60th Anniversary of the Integration of the United States Armed Forces and urge all Americans to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of July, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

#### **Proclamation 8276 of July 24, 2008**

#### **Anniversary of the Americans with Disabilities Act, 2008**

*By the President of the United States of America  
A Proclamation*

The Americans with Disabilities Act (ADA) has helped tear down barriers for millions of people living with disabilities. On the anniversary of this important legislation, our Nation underscores our commitment to ensuring that all individuals have an equal opportunity to realize their full potential.

On July 26, 1990, President George H. W. Bush signed this groundbreaking Act into law, better enabling citizens with disabilities to participate fully in all aspects of life. Over the course of nearly two decades, this Act has made our schools and workplaces more welcoming, helped change attitudes that once seemed unchangeable, and expanded opportunity for many

exceptional Americans. The ADA is one of the most successful civil rights laws in our history and has been an essential part of countless American lives.

My Administration is committed to working to empower those with disabilities so that all our people can achieve the American dream. Building on the success of the ADA, the New Freedom Initiative of 2001 has had a positive impact for many of our citizens. Technological advances have helped individuals gain greater access to everyday life. Students with disabilities are given the tools they need to succeed, and in the workplace, innovative hiring and employment practices are helping to integrate Americans with disabilities into the workforce. The Ticket to Work and AbilityOne programs have helped them become more self-sufficient by expanding access to employment. Our Nation has benefited from the progress we have made since the enactment of the ADA, and it is our responsibility to continue working toward a country where all people are treated with the respect and dignity they deserve.

On this anniversary, we highlight our commitment to the ADA and celebrate the progress that has been made toward full participation of people with disabilities in our society.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim July 26, 2008, as a day in celebration of the 18th Anniversary of the Americans with Disabilities Act. I call on all Americans to celebrate the vital contributions of individuals with disabilities as we work towards fulfilling the promise of the ADA to give all our citizens the opportunity to live with dignity, work productively, and achieve their dreams.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of July, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

#### **Proclamation 8277 of July 24, 2008**

#### **Parents' Day, 2008**

*By the President of the United States of America  
A Proclamation*

Parents teach their children timeless values to help them make the most of life's opportunities and overcome its challenges. On Parents' Day, we pay tribute to the parents who provide their children with guidance, support, and unconditional love and who help make our country a better place.

Mothers and fathers are a source of stability and great comfort in society, and they have a vital obligation to love and care for their children. Through patient instruction and a loving example, they instill in children the principles that make our Nation strong and ensure that children have the skills

to lead lives of character and integrity. As a child's primary teachers, parents are responsible for their child's education, and their efforts will contribute to a more hopeful future for our country. Parents can help shape our Nation by encouraging young people to make the right choices, become responsible citizens, and achieve their dreams.

My Administration remains dedicated to promoting Federal, State, and faith-based and community programs to assist American families and support healthy marriages and responsible parenting. We are committed to helping parents and schools enable the next generation of Americans to realize their full potential.

On Parents' Day, we honor mothers and fathers and thank them for their many years of patience and selflessness. We take this opportunity also to recognize parents of adopted children and foster parents, who generously provide children with a loving family to call their own. We also recognize the parents who serve in our Armed Forces and the parents of the brave men and women wearing our Nation's uniform. The members of our Armed Forces are defending our freedom with dignity and honor, and America is grateful for the sacrifices that they and their families make in the name of duty.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States and consistent with Public Law 103-362, as amended, do hereby proclaim Sunday, July 27, 2008, as Parents' Day. I call upon citizens, private organizations, and governmental bodies at all levels to engage in activities and educational efforts that recognize, support, and honor parents, and I encourage American sons and daughters to convey their love, respect, and appreciation to their parents.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of July, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

#### **Proclamation 8278 of August 22, 2008**

#### **Women's Equality Day, 2008**

*By the President of the United States of America  
A Proclamation*

With vision and determination, American women have helped build our great Nation. On Women's Equality Day, we remember the dedication of women who overcame many obstacles in order to secure the right to vote.

The struggle for women's rights is a story of strong women willing to take the lead and pave the way toward equal voting rights for all American citizens. In 1848, a group of determined women came together in Seneca Falls, New York, to proclaim that "all men and women are created equal," and demand suffrage. On August 26, 1920, their voices were finally heard, and the 19th Amendment to the Constitution guaranteed women the right to vote.

As we look back on the journey to women gaining suffrage, we remember the sacrifices of people like Susan B. Anthony and Elizabeth Cady Stanton. More than 160 years after the Seneca Falls Convention, we celebrate the spirit, leadership, and hard work of those pioneering women. We also recognize the women who continue in this tradition by acting as role models in their communities, helping raise the next generation of Americans, leading in their professions, and serving in the Armed Forces protecting our country. These women are continuing on the path set by those who came before them, so that all Americans can realize the great promise of our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim August 26, 2008, as Women's Equality Day. I call upon the people of the United States to celebrate the achievements of women and observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of August, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8279 of August 25, 2008**

**National Prostate Cancer Awareness Month, 2008**

*By the President of the United States of America  
A Proclamation*

National Prostate Cancer Awareness Month is an opportunity to underscore our commitment to fighting prostate cancer and to raise awareness about this highly treatable disease.

Prostate cancer is the second most common type of cancer found in men, and one in six men will develop it during their lifetime. The cause of prostate cancer remains unknown, but early detection can lead to better treatment and increase the chances of survival. It is important for men to talk to their physicians about risk factors, prevention, and preventive screenings.

My Administration remains committed to helping America's dedicated medical professionals learn more about the cause of prostate cancer and develop new and better ways to combat it. Since 2005, the Cancer Genome Atlas has studied the genetic sources of all types of cancer. By supporting medical research, conducting clinical trials, and developing new surgical techniques to help patients recover quickly, the National Institutes of Health, the National Cancer Institute, and the Centers for Disease Control and Prevention are helping lead the fight against prostate cancer.

During National Prostate Cancer Awareness Month, we remember those who lost the battle against prostate cancer, and we pray for their families and friends. We also remember those living with prostate cancer, celebrate the lives of survivors, and thank all the medical professionals who aid in

these victories. By continuing our fight against this disease, we will make our Nation a healthier and more hopeful place.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 2008 as National Prostate Cancer Awareness Month. I call upon government officials, businesses, communities, health care professionals, educators, and the people of the United States to reaffirm our Nations strong and ongoing commitment to the fight against prostate cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of August, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8280 of August 25, 2008****Minority Enterprise Development Week, 2008**

*By the President of the United States of America  
A Proclamation*

The opportunities of America make our land a beacon of hope for people from every corner of the world. America's minority-owned businesses contribute greatly to our economy and the richness of our country. During Minority Enterprise Development Week, we recognize minority entrepreneurs and recommit ourselves to fostering an environment where everyone can attain the American dream.

In America, people's dreams matter more than their background. Across our country, minority business owners are working hard to achieve their goals and helping to extend the promises of America to their fellow citizens. These businesses and their employees are vital contributors to our national prosperity.

My Administration has lowered taxes, supported pro-growth policies, and enacted an economic stimulus package to encourage small and medium-sized business growth. By keeping more money in the hands of families and small businesses, they can save, invest, spend, and give back to their communities. Our economy is resilient and dynamic because Americans are the most industrious, creative, and enterprising people in the world and because we believe in a free market economy that rewards those qualities.

During Minority Enterprise Development Week, we recognize the value minority entrepreneurs and their employees add to our country. They are vital to our Nation's economic strength and an essential part of our national heritage.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim August 31 through September 6, 2008, as Minority Enterprise Development Week. I call upon all Americans to celebrate this week with appropriate programs, ceremonies,



and activities to recognize the many contributions of our Nation's minority enterprises.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of August, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8281 of August 26, 2008**

**National Ovarian Cancer Awareness Month, 2008**

*By the President of the United States of America*

*A Proclamation*

During National Ovarian Cancer Awareness Month, we remember those whose lives have been affected by this deadly disease, and we underscore our commitment to battling ovarian cancer for the sake of women around the world.

Each year, thousands of American women are diagnosed with ovarian cancer. Many will lose their lives to this disease. Because ovarian cancer is often diagnosed at an advanced stage, it is vital for women to make regular visits to their doctors for screenings and to discuss risk factors and warning signs. Early detection is the best way to help doctors diagnose cancer before it has a chance to spread. It also makes treatment more effective and increases the chances for survival. I encourage all women to learn more about preventive measures and screening options that may help to save their lives.

America leads the world in medical research, and my Administration remains dedicated to the fight against ovarian cancer. I signed the "Gynecologic Cancer Education and Awareness Act of 2005," or "Johanna's Law," that helps to raise awareness among women and health care providers about female reproductive cancers. Additionally, the National Institutes of Health (NIH) and the Centers for Disease Control and Prevention are conducting important research to help make the innovative advances we need in order to eradicate this disease. NIH's Cancer Genome Atlas is also helping researchers gain a greater understanding of the genetic sources of cancer. Together, we will continue building on our progress until there is a cure for cancer. As we observe National Ovarian Cancer Awareness Month, we honor those who have fought this disease. We also recognize the compassionate caregivers, doctors, and researchers who are dedicated to preventing, detecting, and treating ovarian cancer.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2008 as National Ovarian Cancer Awareness Month. I call upon government officials, businesses, communities, health care professionals, educators, volunteers, and the people of the United States to continue our Nation's strong commitment to preventing and treating ovarian cancer.

**Proc. 8282**

**Title 3—The President**

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of August, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8282 of August 26, 2008**

**National Preparedness Month, 2008**

*By the President of the United States of America  
A Proclamation*

During National Preparedness Month, we underscore the important responsibility Americans have to be ready for emergencies in our homes, businesses, and communities.

The Department of Homeland Security's *Ready* campaign highlights preparedness steps, including having an emergency supply kit, making a family emergency plan, and becoming informed about different types of emergencies. After preparing themselves and their families, Americans can take the next step and get involved in helping to prepare their communities for all types of emergencies. For more information, citizens may visit [www.ready.gov](http://www.ready.gov) and [citizencorps.gov](http://citizencorps.gov).

During National Preparedness Month, we also honor our Nation's police officers, firefighters, and emergency personnel for their hard work and commitment to protecting others. As first responders, they have demonstrated the true meaning of heroism by taking great risks to safeguard our communities, and all Americans are grateful for their efforts.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 2008 as National Preparedness Month. I call upon the people of the United States to recognize the importance of preparing for potential emergencies and to observe this month by participating in appropriate events, activities, and preparedness programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of August, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8283 of August 27, 2008****National Alcohol and Drug Addiction Recovery Month, 2008**

*By the President of the United States of America*

*A Proclamation*

Substance abuse is an unrelenting evil that destroys lives, ruins families, and endangers neighborhoods. During National Alcohol and Drug Addiction Recovery Month, we emphasize our commitment to alcohol and drug addiction prevention. This month is also an opportunity to recognize those who have had the courage to combat and overcome addiction.

Alcohol and drug abuse require an aggressive response. My Administration will continue to help educate our children through the National Youth Anti-Drug Media Campaign. This Campaign urges parents and adults to safeguard our young people from the abuse of prescription drugs, focuses on random drug-testing in schools and in the workplace, and creates drug-free community coalitions. First Lady Laura Bush leads the Helping America's Youth initiative, which assists our youth in making healthy life choices through the participation of caring adults in their lives. The dedicated efforts of families, teachers, law enforcement, faith-based groups, and community activists are all important.

We are also working to reduce the supply of illegal drugs coming into our country and fighting demand here at home. In order to disrupt the market for illegal drugs, the National Drug Control Strategy report has coordinated law enforcement efforts throughout our Nation to help dismantle channels of distribution, and we are also working with foreign governments to eradicate the trafficking of illegal drugs.

Too many of our citizens have been swept up in a cycle of addiction. Through faith-based and community groups, we have revolutionized the way we help people break the chains of addiction. The Access to Recovery program provides addicts with vouchers so that they can attend the treatment center of their choice. Our Nation's armies of compassion have helped nearly 200,000 clients rediscover their dignity and purpose through this program.

During National Alcohol and Drug Addiction Recovery Month and throughout the year, we underscore the worthy mission of confronting substance abuse. This year's theme, "Join the Voices of Recovery: Real People, Real Recovery," highlights the importance of providing hope and love to those who are trying to overcome drug and alcohol addiction and rebuild their lives. For more information on how to help fellow citizens and continue building a stronger community, visit [recoverymonth.gov](http://recoverymonth.gov).

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 2008 as National Alcohol and Drug Addiction Recovery Month. I call upon the people of the United States to observe this month with the appropriate programs, ceremonies, and activities.

**Proc. 8284**

**Title 3—The President**

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of August, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8284 of August 28, 2008**

**National Days of Prayer and Remembrance, 2008**

*By the President of the United States of America  
A Proclamation*

During National Days of Prayer and Remembrance, we pay special tribute to the thousands of innocent victims who died on September 11, 2001. Our Nation honors the brave citizens, service members, police officers, and firefighters who heroically responded in the face of terror. On these important days, we reflect on the terrible events of September 11, 2001, and lift the victims and their families in our prayers.

Our Nation will never forget the individuals who lost their lives in New York, Pennsylvania, and at the Pentagon. America remains inspired by the countless acts of kindness and sacrifice we saw that day—fearless rescuers who rushed toward danger, a beloved priest who died helping others, two office workers who carried a disabled person 68 floors to safety.

We also pray for the safety and success of the members of our Armed Forces now serving freedom's cause. We seek God's grace on their families, and commit to Heaven's care those brave men and women He has called home. We ask the Almighty to watch over America and pray for His providence and continued blessings on our country. May He always guide the United States of America. As we defend our country against its enemies, we pray for help in protecting the gift of freedom from those who seek to destroy it, and we ask the Almighty to strengthen all those securing liberty on distant shores.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Friday, September 5, through Sunday, September 7, 2008, as National Days of Prayer and Remembrance. I ask that the people of the United States and their places of worship mark these National Days of Prayer and Remembrance with memorial services, the ringing of bells, and evening candlelight remembrance vigils. I also invite all people across the world to share in these Days of Prayer and Remembrance.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of August, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8285 of September 3, 2008****National Historically Black Colleges and Universities Week,  
2008**

*By the President of the United States of America  
A Proclamation*

Historically Black Colleges and Universities (HBCUs) are helping to extend lifelines of learning throughout our country. During Historically Black Colleges and Universities Week, we pay tribute to these distinguished institutions.

Our Nation's HBCUs help unlock the great potential within students by providing quality higher education to traditionally underserved communities. By offering all students an opportunity to develop their skills and talents, HBCUs are helping more Americans realize the promise of our Nation.

My Administration is committed to promoting equal opportunities and access to higher education for all students. Since 2001, funding for HBCUs and Historically Black Graduate Institutions has increased. Additionally, the College Cost Reduction and Access Act of 2007 makes college more affordable for low-income students by increasing funding for Federal Pell Grants by more than \$11 billion. The Act also helps HBCUs increase educational opportunities in the critical fields of math, science, technology, and foreign languages. By educating all of America's students, we are investing in our next generation of leaders and contributing to a more hopeful people and a more prosperous America.

Throughout this week, we renew the call for this country to never rest until equality is real, opportunity is universal, and all citizens can realize their dreams. We also recognize our country's HBCUs and their important role in making these goals a reality.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 7 through September 13, 2008, as National Historically Black Colleges and Universities Week. I call upon public officials, educators, librarians, and all the people of the United States to observe this week with appropriate programs, ceremonies, and activities in respect and appreciation for the contributions these valuable institutions and their graduates have made to our country.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of September, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

## Proclamation 8286 of September 8, 2008

## Patriot Day, 2008

*By the President of the United States of America*  
*A Proclamation*

September 11, 2001, was etched into America's memory when 19 terrorists attacked us with barbarity unequalled in our history. On Patriot Day, we cherish the memory of the thousands of innocent victims lost, extend our thoughts and prayers to their families, and honor the heroic men and women who risked and sacrificed their lives so others might survive.

Since 9/11, we have recognized the threat posed by terrorists to the safety of the American people and worked to protect our homeland by fighting terrorists abroad. We are confronting terrorism by advancing freedom, liberty, and prosperity as an alternative to the ideologies of hatred and repression. Our Nation pays tribute to our courageous men and women in uniform serving around the world and the devoted members of our law enforcement, public safety, and intelligence communities at home who work night and day to protect us from harm and preserve the freedom of this great Nation.

Seven years ago, ordinary citizens rose to the challenge, united in prayer, and responded with extraordinary acts of courage, with some giving their lives for the country they loved. On Patriot Day, we remember all those who were taken from us in an instant and seek their lasting memorial in a safer and more hopeful world. We must not allow our resolve to be weakened by the passage of time. We will meet the test that history has given us and continue to fight to rid the world of terrorism and promote liberty around the globe.

By a joint resolution approved December 18, 2001 (Public Law 107–89), the Congress has designated September 11 of each year as “Patriot Day.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim September 11, 2008, as Patriot Day. I call upon the Governors of the United States and the Commonwealth of Puerto Rico, as well as appropriate officials of all units of government, to direct that the flag be flown at half-staff on Patriot Day. I also call upon the people of the United States to observe Patriot Day with appropriate ceremonies, activities, and remembrance services, to display the flag at half-staff from their homes on that day, and to observe a moment of silence beginning at 8:46 a.m. eastern daylight time to honor the innocent Americans and people from around the world who lost their lives as a result of the terrorist attacks of September 11, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of September, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8287 of September 12, 2008**

**National Hispanic Heritage Month, 2008**

*By the President of the United States of America  
A Proclamation*

During National Hispanic Heritage Month, we recognize the many Americans of Hispanic descent who have made outstanding contributions to our Nation.

The rich cultural traditions of the Hispanic-American community have made a remarkable impact on American society. The diverse backgrounds of Hispanic Americans and their dedication to family have become an integral part of America. With a deep commitment to faith and a strong desire to live the American dream, these citizens are realizing the full blessings of liberty. Educational opportunities are helping a new generation work toward success, and many Hispanic Americans operate thriving small businesses.

We also honor Hispanic Americans for their strong tradition of service in the Armed Forces. These proud patriots have fought in every war since our founding, and many have earned the Medal of Honor for their courage. Hispanic service men and women have shown their love for the United States by answering the call to serve, and we owe them and their families a tremendous debt of gratitude. Their patriotism and valor have added to the character of our Nation.

National Hispanic Heritage Month is an opportunity to celebrate the spirit and accomplishments of Hispanic Americans everywhere. To honor those achievements, the Congress, by Public Law 100–402, as amended, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as “National Hispanic Heritage Month.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 15 through October 15, 2008, as National Hispanic Heritage Month. I call upon public officials, educators, librarians, and all the people of the United States to observe this month with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of September, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proc. 8288**

**Title 3—The President**

**Proclamation 8288 of September 12, 2008**

**National Employer Support of the Guard and Reserve Week,  
2008**

*By the President of the United States of America  
A Proclamation*

Throughout history, America has counted on brave individuals willing to put on the uniform to protect our land and defend our way of life. This week we honor and recognize the many contributions members of our National Guard and Reserve make to our Nation, and we thank the civilian employers who support these individuals as they answer the call of duty.

The men and women of the National Guard and Reserve have demonstrated the highest form of citizenship, and their service is vital to the security of our country and the peace of the world. As the early patriots who claimed our Nation's liberty did, today's Guard and Reserve are fighting a new and unprecedented war and pledging their lives and honor to defend our freedom. As many of those early patriots did, members of today's Guard and Reserve lead civilian lives but stand ready to wear our Nation's uniform when liberty is threatened. The families of the National Guard and Reserve serve our Nation by proudly standing behind these brave men and women, and America appreciates their sacrifice as well.

In all they do, the National Guard and Reserve and their families represent the best of the American spirit.

Our Nation also depends on the commitment of the civilian employers of the members of the National Guard and Reserve. In offices and factories across America, organizations do without the talents of many hard-working people who have been called upon to protect our country. Our Nation's employers provide time off, pay, healthcare benefits, and job security because they care about and love their country. These businesses have put patriotism above profit, and they deserve the gratitude of all Americans.

During National Employer Support of the Guard and Reserve Week, a grateful country pays tribute to the men and women of the National Guard and Reserve, and we express our gratitude to the employers who support them and help enable them to serve.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 14 through September 20, 2008, as National Employer Support of the Guard and Reserve Week. I encourage all Americans to join me in expressing our thanks to members of our National Guard and Reserve and their civilian employers for their patriotism and sacrifices on behalf of our Nation. I also call upon State and local officials, private organizations, businesses, and all military commanders to observe this week with appropriate ceremonies and activities.



IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of September, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8289 of September 17, 2008**

**Constitution Day and Citizenship Day, Constitution Week, 2008**

*By the President of the United States of America  
A Proclamation*

Americans are united by the ideals of equal justice, limited government, and the rule of law. On Constitution Day and Citizenship Day and during Constitution Week, we remember the vision and determination of the Framers to build a free society, and we celebrate the historical document they created to achieve that goal.

More than two centuries ago, our Founding Fathers gathered in Philadelphia and produced a charter that would promote justice and preserve the liberty of all our citizens. The Founders established three separate branches of Government with a system of checks and balances among them. Ours is the oldest written constitution in the world, and the American experiment remains the world's best hope for freedom.

The Constitution forged the American creed of liberty and equality and has lifted the lives of countless individuals. Whether they are citizens by birth or by oath, Americans share a great tradition of enjoying liberty protected by a constitutional government of their choosing.

On Constitution Day and Citizenship Day, and during Constitution Week, Americans come together and recognize the blessings bestowed upon our great Nation. On this occasion we celebrate the courage of the Constitution's drafters and recommit ourselves to making the United States a more perfect union.

In recognition of the signing of the Constitution and of Americans who strive to fulfill the duties and responsibilities of citizenship, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 106, as amended), designated September 17 as "Constitution Day and Citizenship Day," and by joint resolution of August 2, 1956 (36 U.S.C. 108, as amended), requested that the President proclaim the week beginning September 17 and ending September 23 of each year as "Constitution Week."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim September 17, 2008, as Constitution Day and Citizenship Day, and September 17 through September 23, 2008, as Constitution Week. I encourage Federal, State, and local officials, as well as leaders of civic, social, and educational organizations, to conduct ceremonies and programs that celebrate our Constitution and reaffirm our rights and responsibilities as citizens of this great Nation.

**Proc. 8290**

**Title 3—The President**

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of September, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8290 of September 17, 2008**

**National POW/MIA Recognition Day, 2008**

*By the President of the United States of America  
A Proclamation*

On National POW/MIA Recognition Day, we honor the brave and patriotic Americans who were held as prisoners of war, and we remember those who are still missing in action. For their valor and selfless devotion to protect the country they love, our Nation owes them a debt we can never fully repay. On this day we underscore our commitment and pledge to those who are still missing in action and to their families that we will not rest until we have achieved the fullest possible accounting for every member of our Armed Forces missing in the line of duty.

To observe this important day, the National League of Families POW/MIA flag is flown over the Capitol, the White House, the World War II Memorial, the Korean War Veterans Memorial, the Vietnam Veterans Memorial, and other locations across our country. The flag is a solemn reminder of our Nation's enduring obligation and promise to our courageous service members who remain missing and a tribute to those who have been imprisoned while serving their country in conflicts around the world.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Friday, September 19, 2008, as National POW/MIA Recognition Day. I call upon the people of the United States to join me in honoring and remembering all former American prisoners of war and those missing in action for their valiant service to our Nation. I also call upon Federal, State, and local government officials and private organizations to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of September, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8291 of September 18, 2008****National Farm Safety and Health Week, 2008**

*By the President of the United States of America*

*A Proclamation*

Agriculture has always been a vital part of America's economy and culture, and our farmers and ranchers are among the best stewards of our land. During National Farm Safety and Health Week, we recognize those working in agriculture for their contributions to our Nation's prosperity, security, and health, and we also seek to raise awareness about the occupational hazards of this industry.

Farming and ranching are strenuous occupations, and workers can be exposed to many dangers, including those associated with extreme weather conditions, operating heavy machinery, and working with livestock. Teaching awareness about potential dangers, implementing preventative measures, and supervising children as they work and play can help mitigate risks and reduce the number of injuries and fatalities on farms and ranches.

Our Nation's farmers and ranchers exemplify the American values of hard work, deep commitment to faith, and love of family. During National Farm Safety and Health Week, we celebrate these extraordinary men and women who are building a prosperous future for our country.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 21 through September 27, 2008, as National Farm Safety and Health Week. I call upon the agencies, organizations, and businesses that serve America's agricultural workers to continue to strengthen their commitment to promoting farm safety and health programs. I also urge all Americans to honor our agricultural heritage and to recognize our farmers and ranchers for their remarkable contributions to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of September, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8292 of September 19, 2008****Family Day, 2008**

*By the President of the United States of America*

*A Proclamation*

Strong families are essential to the well-being of our Nation. On Family Day, we celebrate the relationship between parents and their children, and we recognize the importance of families spending time together.

As a source of hope, guidance, stability, and love for every generation, families both teach and exemplify the values and virtues needed in today's

changing world. As parents and as role models to America's children, we can help prepare our children for a bright future by offering steadfast support and unconditional love.

The character of a child is formed in his or her earliest years by the love and guidance of family members and other caring individuals. Since 2001, my Administration has worked to strengthen the American family, and we have worked with faith-based and community organizations to promote healthy marriages and responsible fatherhood. By striving to ensure that children remain connected to their families, communities, places of worship, and schools, we are helping them make good choices and build lives of purpose.

Parents are the primary teachers of our Nation's youth, and they are the first ones to educate them about the differences between right and wrong. By being proactive and involved in a child's life, families pass along the traditions and principles that help make America a compassionate, decent, and hopeful society.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 22, 2008, as Family Day. I call upon the people of the United States to observe this day by engaging in activities that strengthen the bonds between children and parents.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of September, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

#### **Proclamation 8293 of September 24, 2008**

#### **Gold Star Mother's Day, 2008**

*By the President of the United States of America*

*A Proclamation*

Throughout our history, the men and women of the Armed Forces have put our Nation's security before their own, doing their duty in the face of grave danger. On Gold Star Mother's Day, we pay solemn tribute to the mothers of the patriots lost serving this great Nation.

Gold Star Mothers inspire our Nation with their deep devotion to family and country. These extraordinary women serve their communities, dedicate their time to helping members of our Armed Forces and veterans, and bring comfort and hope to families whose loved ones laid down their lives in the defense of our liberty. Nothing can compensate for their sacrifice and loss, yet Gold Star Mothers demonstrate tremendous courage and resolve while working to preserve the memory and legacy of all our fallen heroes.

On this day, we honor our country's Gold Star Mothers and remember their sons' and daughters' noble service and great sacrifice. We offer them our

deepest gratitude and our most profound respect, and we ask for God's blessings to be upon them and their families.

The Congress, by Senate Joint Resolution 115 of June 23, 1936 (49 Stat. 1895 as amended), has designated the last Sunday in September as "Gold Star Mother's Day" and has authorized and requested the President to issue a proclamation in its observance.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim Sunday, September 28, 2008, as Gold Star Mother's Day. I call upon all Government officials to display the flag of the United States over Government buildings on this special day. I also encourage the American people to display the flag and hold appropriate ceremonies as a public expression of our Nation's sympathy and respect for our Gold Star Mothers.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of September, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8294 of September 26, 2008**

**To Implement Amendments to the Burmese Freedom and Democracy Act of 2003**

*By the President of the United States of America*  
*A Proclamation*

1. Section 3A(b)(1) of the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61) (the "Burmese Freedom and Democracy Act"), as amended by section 6(a) of the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008 (Public Law 110–286) (the "JADE Act"), directs the President to prohibit the importation of jadeite and rubies mined or extracted from Burma, as well as the importation of articles of jewelry containing jadeite and rubies mined or extracted from Burma (Burmese covered articles), until such time as the President determines and certifies to the appropriate congressional committees that Burma has met the conditions described in section 3(a)(3) of the Burmese Freedom and Democracy Act.

2. Sections 3A(c)(1) and 3A(c)(2) of the Burmese Freedom and Democracy Act, as amended, set forth certain conditions for the importation of jadeite and rubies mined or extracted from countries other than Burma, as well as for the importation of articles of jewelry containing jadeite and rubies mined or extracted from countries other than Burma (non-Burmese covered articles).

3. Section 3A(c)(2) of the Act, as amended, also permits the President to waive the conditions for importation set forth in section 3A(c)(1) of non-Burmese covered articles from any country with respect to which the President determines and certifies to the appropriate congressional committees

that the country has implemented certain measures to prevent the trade in Burmese covered articles. 4. In order to implement the prohibitions on the importation of Burmese covered articles and the conditions for importation of non-Burmese covered articles set forth in sections 3A(b)(1), 3A(c)(1), and 3A(c)(2) of the Burmese Freedom and Democracy Act, as amended, it is necessary to modify the Harmonized Tariff Schedule of the United States (HTS) to include an additional U.S. Note to chapter 71.

5. Section 604 of the Trade Act of 1974, as amended (the “1974 Act”) (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of relevant provisions of that Act, or other acts affecting import treatment, and of actions taken thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

6. Sections 3A(b)(2) and 3A(c)(3) of the Burmese Freedom and Democracy Act, as amended, authorize the President to issue such proclamations, regulations, licenses, and orders, and conduct such investigations, as may be necessary to implement the prohibition on Burmese covered articles set forth in section 3A(b)(1) of that Act and the conditions for importation of non-Burmese covered articles set forth in sections 3A(c)(1) and 3A(c)(2) of that Act.

7. I have determined that it is appropriate to authorize the Secretary of the Treasury and the Secretary of Homeland Security, pursuant to sections 3A(b)(2) and 3A(c)(3) of the Burmese Freedom and Democracy Act, as amended, to issue regulations, licenses, and orders, and conduct such investigations as may be necessary, to implement the prohibition on importation of Burmese covered articles set forth in section 3A(b)(1) of that Act and the conditions for importation of non-Burmese covered articles set forth in sections 3A(c)(1) and 3A(c)(2) of that Act. I further determine that it is appropriate to authorize the Secretary of the Treasury and the Secretary of Homeland Security to redelegate, as necessary, any of these functions to other officers and agencies of the United States Government consistent with applicable law.

8. I have determined that it is appropriate to authorize the Secretary of the Treasury, in consultation with the Secretary of State, to perform the functions set forth in section 3A(c)(2)(A) of the Burmese Freedom and Democracy Act, as amended, relating to the issuance waivers of the conditions for importation set forth in section 3A(c)(1) of non-Burmese covered articles from any country that has implemented certain measures to prevent the trade in Burmese covered articles. I further determine that it is appropriate to authorize the Secretary of the Treasury to redelegate, as necessary, any of these functions to other officers and agencies of the United States Government consistent with applicable law.

9. Section 3A(b)(3)(A) of the Burmese Freedom and Democracy Act, as amended, directs the President to take all appropriate actions to seek issuance of a draft waiver decision by the Council for Trade in Goods of the World Trade Organization (WTO) granting a waiver of the applicable WTO obligations with respect to the provisions of section 3A of the Burmese Freedom and Democracy Act, as amended, and any measures taken to implement it.

10. I have determined that it is appropriate to authorize the United States Trade Representative to perform the functions specified in section 3A(b)(3)(A) of the Burmese Freedom and Democracy Act, as amended.

11. Section 3A(b)(3)(B) of the Burmese Freedom and Democracy Act, as amended, directs the President to take all appropriate actions to seek the adoption of a resolution by the United Nations General Assembly expressing the need to address trade in Burmese covered articles and calling for the creation and implementation of a workable certification scheme for non-Burmese covered articles to prevent the trade in Burmese covered articles.

12. I have determined that it is appropriate to authorize the Secretary of State to perform the functions specified in section 3A(b)(3)(B) of the Burmese Freedom and Democracy Act, as amended.

13. Section 3A(g) of the Burmese Freedom and Democracy Act, as amended, directs the President to, not later than January 26, 2009, transmit to the appropriate congressional committees a report describing what actions the United States has taken during the 60-day period beginning on the date of the enactment of the JADE Act to seek (i) the issuance of a draft waiver decision by the Council for Trade in Goods of the WTO, as specified in section 3A(b)(3)(A) of the Burmese Freedom and Democracy Act, as amended; (ii) the adoption of a resolution by the United Nations General Assembly, as specified in section 3A(b)(3)(B) of that Act; and (iii) the negotiation of an international arrangement, as specified in section 3A(f)(1) of that Act.

14. I have determined that it is appropriate to authorize the Secretary of State, in consultation with the United States Trade Representative, to perform the functions specified in section 3A(g) of the Burmese Freedom and Democracy Act, as amended.

15. Under section 3(b) of the Burmese Freedom and Democracy Act, as amended by section 6(c) of the JADE Act, the President may waive the restrictions described above if the President determines and notifies the Committees on Appropriations, Finance, and Foreign Relations of the Senate and the Committees on Appropriations, Foreign Affairs, and Ways and Means of the House of Representatives that to do so is in the national interest of the United States.

16. I have determined that it is appropriate to authorize the Secretary of State to perform the functions and authorities specified in section 3(b) of the Burmese Freedom and Democracy Act, as amended.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including sections 3 and 3A of the Burmese Freedom and Democracy Act, as amended by section 6 of the JADE Act, section 604 of the 1974 Act, and section 301 of title 3, United States Code, do proclaim that:

(1) In order to implement the prohibition on the importation of Burmese covered articles and the conditions for the importation of non-Burmese covered articles provided for in sections 3A(b)(1) and 3A(c)(1) of the Burmese Freedom and Democracy Act, as amended, an additional U.S. Note as set forth in the Annex to this proclamation is included in chapter 71 of the HTS.

(2) Beginning on September 27, 2008, the importation into the United States of any Burmese covered article shall be prohibited, except as provided for (i) in section 3A(d) of the Burmese Freedom and Democracy Act, as amended; (ii) in regulations, orders, directives, or licenses that

may be issued pursuant to this proclamation and section 3A(b)(2) of the Burmese Freedom and Democracy Act, as amended; or (iii) by waiver issued pursuant to section 3(b) of the Burmese Freedom and Democracy Act, as amended.

(3) Beginning on September 27, 2008, as a condition for the importation into the United States of any non-Burmese covered article, the importer and exporter of such article must meet the conditions set forth in section 3A(c)(1) of the Burmese Freedom and Democracy Act, as amended, except as provided for (i) in section 3A(d) of that Act; (ii) in regulations, orders, directives, or licenses issued pursuant to this proclamation and section 3A(c)(3) of the Burmese Freedom and Democracy Act, as amended; or (iii) by waiver issued pursuant to either section 3(b) or section 3A(c)(2) of the Burmese Freedom and Democracy Act, as amended.

(4) The Secretary of the Treasury and the Secretary of Homeland Security are hereby authorized, pursuant to sections 3A(b)(2) and 3A(c)(3) of the Burmese Freedom and Democracy Act, as amended, to issue regulations, licenses, and orders, and conduct such investigations as may be necessary, to implement the prohibition on Burmese covered articles set forth in section 3A(b)(1) of that Act and the conditions for importation of non-Burmese covered articles set forth in sections 3A(c)(1) and 3A(c)(2) of that Act. The Secretary of the Treasury and the Secretary of Homeland Security are further authorized to redelegate, as necessary, any of these functions to other officers and agencies of the United States Government consistent with applicable law.

(5) The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to perform the functions set forth in section 3A(c)(2)(A) of the Burmese Freedom and Democracy Act, as amended, relating to the issuance of waivers of the conditions for importation set forth in section 3A(c)(1) of non-Burmese covered articles from any country that has implemented certain measures to prevent the trade in Burmese covered articles. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government consistent with applicable law.

(6) The United States Trade Representative is hereby authorized to perform the functions specified in section 3A(b)(3)(A) of the Burmese Freedom and Democracy Act, as amended.

(7) The Secretary of State is hereby authorized to perform the functions specified in section 3A(b)(3)(B) of the Burmese Freedom and Democracy Act, as amended.

(8) The Secretary of State is hereby authorized, in consultation with the United States Trade Representative, to perform the functions specified in section 3A(g) of the Burmese Freedom and Democracy Act, as amended.

(9) The Secretary of State is hereby authorized to perform the functions specified in section 3(b) of the Burmese Freedom and Democracy Act, as amended.

(10) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.



IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of September, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

ANNEX

TO MODIFY CHAPTER 71 OF THE  
HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after September 27, 2008, chapter 71 of the Harmonized Tariff Schedule is modified by inserting in numerical sequence the following new Additional U.S. Note:

"4. Prohibition on the importation of certain goods of Burma.

- (a) Pursuant to section 3A of the Burmese Freedom and Democracy Act of 2003 (Public Law 108-61; 50 U.S.C. 1701 note), as amended by the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008 (Public Law 110-286), for purposes of goods provided for in headings 7103, 7113 and 7116, except as set forth in subdivisions (c) and (d) of this note, the importation of any of the following goods shall be prohibited--

- (i) jadeite mined in or extracted from Burma and classifiable in heading 7103 of the tariff schedule,
- (ii) rubies mined in or extracted from Burma and classifiable in heading 7103 of the tariff schedule,
- (iii) articles of jewelry containing jadeite described in subdivision (a)(i) of this note, whether classifiable in heading 7113 or 7116 of the tariff schedule; and
- (iv) articles of jewelry containing rubies described in subdivision a(ii) of this note, whether classifiable in heading 7113 or 7116 of the tariff schedule.

With respect to goods entered or withdrawn from warehouse for consumption, on or after September 27, 2008, should an importer choose to enter any good under heading 7103, 7113 or 7116, the presentation of such entry shall be deemed to be a certification by the importer that any jadeite or rubies contained in such good were not mined in or extracted from Burma.

- (b) Notwithstanding the deemed certification under subdivision (a) of this note, the importation of the following goods--
- (i) jadeite mined in or extracted from a country other than Burma and classifiable in heading 7103 of the tariff schedule,
  - (ii) rubies mined in or extracted from a country other than Burma and classifiable in heading 7103 of the tariff schedule,
  - (iii) articles of jewelry containing jadeite described in subdivision (b)(i) or rubies described in subdivision (b)(ii) of this note, whether classifiable in heading 7113 or 7116 of the tariff schedule,

is not permitted unless such goods comply with the terms of any regulations issued by the Secretary of the Treasury to implement section 3A(c)(1) of the Burmese Freedom and Democracy Act of 2003, as amended, or are covered by any waiver or certification scheme that may be established pursuant to the provisions of sections 3(b) and 3A of Act, as amended.

- (c) The provisions of this note shall not apply to Burmese covered articles and non-Burmese covered articles that were previously exported from the United States, including those that accompanied an individual outside the United States for personal use, if they are reimported into the United States by the same person, without having been advanced in value or improved in condition by any process or other means while outside the United States.
- (d) The certification established under subdivision (a) of this note shall not apply to the importation of non-Burmese covered articles by or on behalf of an individual for personal use and accompanying an individual upon entry into the United States, with a proper claim under subheading 9804.00.20, 9804.00.45 or other appropriate provision of chapter 98 of the tariff schedule."

## Proclamation 8295 of September 26, 2008

## National Hunting and Fishing Day, 2008

*By the President of the United States of America**A Proclamation*

From our rugged peaks and mountains to our shining seas, our Nation is blessed with remarkable natural treasures. These magnificent landscapes are places where families and friends can create lasting memories and enjoy the outdoors. On National Hunting and Fishing Day, our country honors the many contributions of America's hunters and anglers, who add to our heritage and keep our wildlife populations healthy and strong.

Our Nation's sportsmen and women are among our foremost conservationists. They care deeply about our wildlife habitats, and they have contributed billions of dollars to wildlife restoration through the Pittman-Robertson Act, which is a levy on certain sporting goods. This investment has helped restore many species, including the American elk, black bear, and wild turkey. Through the Federal Waterfowl Stamp program, the conservation of habitats for migratory birds has been greatly improved. By protecting our Nation's wildlife, we can continue to advance the values of good stewardship.

My Administration has created, protected, and restored millions of acres of wetlands. Through my Ocean Action Plan, we are protecting fish populations and marine habitat. I was pleased to amend Executive Order 12962 to recognize the value of recreational fishing as a sustainable activity in Federal waters. We have also improved the health of millions of acres of forests under the Healthy Forests Restoration Act. This important legislation is helping to protect our public lands from the risk of catastrophic wildfires and contributes to a healthier environment for all Americans.

On this special day, we remember our responsibility to preserve the great American landscape for future generations, and we celebrate the joy of hunting and fishing in the great outdoors.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 27, 2008, as National Hunting and Fishing Day. I call upon the people of the United States to join me in recognizing the contributions of America's hunters and anglers, and all those who work to conserve our Nation's fish and wildlife resources.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of September, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

Proclamation 8296 of September 30, 2008

**To Modify Duty-free Treatment Under The Caribbean Basin Economic Recovery Act and for Other Purposes**

*By the President of the United States of America*

*A Proclamation*

1. Section 213A(b) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a(b)) (the “CBERA”), as amended by section 15402(a)(2) of the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008 (part 1 of subtitle D of title XV of Public Law 110–246, 122 Stat. 2289) (the “HOPE II Act”), provides that preferential tariff treatment may be provided for certain apparel and other articles originating in Haiti that are imported directly from Haiti or the Dominican Republic into the customs territory of the United States.

2. Pursuant to section 213A(f)(3) of CBERA (19 U.S.C. 2703a(f)(3)), as redesignated by section 15403(2) of the HOPE II Act (122 Stat. 2302), apparel and other articles described in section 213A(b) of CBERA that are shipped from the Dominican Republic to the United States directly or through the territory of an intermediate country shall not qualify for the preferential tariff treatment provided for under section 213A(b) until the President certifies to the Congress that Haiti and the Dominican Republic have developed procedures to prevent unlawful transshipment of the articles and the use of counterfeit documents related to the importation of the articles into the United States.

3. I have determined, and hereby certify, that Haiti and the Dominican Republic have developed the procedures described in section 213A(f)(3) of CBERA.

4. Section 15406 of the HOPE II Act (122 Stat. 2308) authorizes the President to exercise the authority provided under section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483) (the “1974 Act”), to proclaim such modifications to the Harmonized Tariff Schedule of the United States (HTS) as may be necessary to carry out the HOPE II Act.

5. I have determined that it is appropriate to authorize the United States Trade Representative (USTR) to perform the following functions: the functions set forth in section 213A(d)(4) of CBERA, as amended (122 Stat. 2307; 19 U.S.C. 2703a(d)(4)); the reporting function set forth in section 213A(e)(1)(B)(ii) of CBERA, as amended (122 Stat. 2302; 19 U.S.C. 2703a(e)(1)(B)(ii)); the consultation function set forth in section 213A(e)(1)(C)(i) of CBERA, as amended (122 Stat. 2302–3; 19 U.S.C. 2703a(e)(1)(C)(i)); and the functions set forth in section 213A(e)(5) of CBERA, as amended (122 Stat. 2307; 19 U.S.C. 2703a(e)(5)).

6. I have determined that it is appropriate to authorize the Secretary of Labor, in consultation with the USTR, to perform the functions related to identifying producers and seeking to provide assistance to such producers set forth in section 213A(e)(4)(B)(i) and (ii) of CBERA, as amended (122 Stat. 2306; 19 U.S.C. 2703a(e)(4)(B)(i), (ii)).

7. In Presidential Proclamation 8272 of June 30, 2008, I waived, pursuant to section 503(d)(1) of the 1974 Act (19 U.S.C. 2463(d)(1)), the application

of the competitive need limitations in section 503(c)(2)(A) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)) with respect to certain articles from Turkey. A technical rectification to the HTS is required to provide the intended tariff treatment.

8. Section 604 of the 1974 Act authorizes the President to embody in the HTS the substance of relevant provisions of that Act, or other acts affecting import treatment, and of actions taken thereunder.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including section 15406 of the HOPE II Act, section 604 of the 1974 Act, and section 301 of title 3, United States Code, do proclaim that:

(1) In order to provide the tariff treatment for articles imported directly from Haiti or the Dominican Republic provided for in section 213A(b) of CBERA, as amended by the HOPE II Act, the HTS is modified as set forth in the Annex to this proclamation.

(2) The modifications to the HTS set forth in the Annex to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date set forth in the Annex.

(3) The USTR is hereby authorized to perform the functions set forth in section 213A(d)(4) of CBERA; the reporting function set forth in section 213A(e)(1)(B)(ii) of CBERA; the consultation function set forth in section 213A(e)(1)(C)(i) of CBERA; and the functions set forth in section 213A(e)(5) of CBERA.

(4) The Secretary of Labor, in consultation with the USTR, is hereby authorized to perform the functions related to identifying producers and seeking to provide assistance to such producers set forth in section 213A(e)(4)(B)(i) and (ii) of CBERA.

(5) In order to correct technical errors in Presidential Proclamation 8272, General Note 4(d) of the HTS is modified by deleting “7413.00.50 Turkey,” and the Rates of Duty 1-Special subcolumn for HTS subheading 7413.00.50 is modified by deleting the symbol “A\*” and inserting the symbol “A” in lieu thereof, effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after July 1, 2008.

(6) The USTR shall notify the Congress of this proclamation and certification.

(7) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

## ANNEX

**TO MODIFY CERTAIN PROVISIONS OF  
THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES**

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after October 1, 2008, subchapter XX of chapter 98 of the Harmonized Tariff Schedule of the United States (HTS) is hereby modified as set forth below.

1. U.S. note 6(c) to such subchapter is modified by inserting after "from Haiti" the phrase "or the Dominican Republic".

2. U.S. note 6(e)(iv) and its subdivisions (A), (B), and (C) are all deleted, and the following new subdivision is inserted in lieu thereof:

- "(iv) Entries of apparel articles that receive preferential treatment under any provision of law other than this note or are subject to the column 1-general rate of duty under the tariff schedule are not included in the annual aggregation under subdivision (e)(i) or (e)(ii) of this note unless the producer or entity controlling production elects, at the time the annual aggregation calculation is made, to include such entries in such aggregation."

3. U.S. note 6(g) is modified by--

- (a) designating the existing text as subdivision (i);  
(b) striking "9820.61.25, 9820.61.30 and 9820.62.12" and inserting in lieu thereof "9820.61.25 and 9820.61.30";  
(c) striking "1.5", "1.75", and "2" from the column labeled "Percentage" in the table and inserting in lieu thereof "1.25", "1.25", and "1.25", respectively; and  
(d) by inserting the following new subdivision (ii):

- "(ii) Any apparel article that qualifies for preferential treatment under subdivisions (h) through (p), inclusive, of this note or any other provision of the tariff schedule shall not be subject to, or included in the calculation of, the quantitative limitations under subdivision (g)(i) of this note."

4. Subdivision (h) of U.S. note 6 is deleted and the following new provisions are inserted in lieu thereof:

- "(h) (i) The preferential treatment provided under heading 9820.62.05 shall be extended to any apparel article classifiable under chapter 62 of the tariff schedule that is wholly assembled, or knit-to-shape, in Haiti from any combination of fabrics, fabric components, components knit-to-shape or yarns and is imported directly from Haiti or the Dominican Republic, subject to subdivisions (h)(ii) and (h)(iii) of this note, without regard to the source of the fabric, fabric components, components knit-to-shape or yarns from which the article is made.
- (ii) The preferential treatment provided under subdivision (h)(i) of this note shall be extended, in the 1-year period beginning October 1, 2008, and in each of the nine succeeding 1-year periods, to not more than 70,000,000 square meter equivalents of apparel articles described in such subdivision.
- (iii) Any apparel article that qualifies for preferential treatment under subdivision (g) or subdivisions (i) through (p), inclusive, of this note or any other provision of the

tariff schedule shall not be subject to, or included in the calculation of, the quantitative limitation under subdivision (ii) of this note."

5. The text of U.S. note 6(i) is modified to read as follows:

"The preferential treatment provided under heading 9820.62.12 shall be extended to any article classifiable in subheading 6212.10 of the tariff schedule, if the article is wholly assembled, or knit-to-shape, in Haiti from any combination of fabrics, fabric components, components knit-to-shape or yarns and is imported directly from Haiti or the Dominican Republic, without regard to the source of the fabric, fabric components, components knit-to-shape or yarns from which the article is made."

6. U.S. note 6 is modified by inserting the following new subdivisions in alphabetical sequence:

- "(j) (i) The preferential treatment provided in heading 9820.61.35 shall be extended to any apparel article classifiable under chapter 61 of the tariff schedule that is wholly assembled, or knit-to-shape, in Haiti from any combination of fabrics, fabric components, components knit-to-shape or yarns and is imported directly from Haiti or the Dominican Republic, subject to subdivisions (j)(ii), (j)(iii) and (j)(iv) of this note, without regard to the source of the fabric, fabric components, components knit-to-shape or yarns from which the article is made.
- (ii) The preferential treatment described in subdivision (j)(i) of this note shall not apply to the following:
  - (A) the following apparel articles of cotton, for men or boys, that are classifiable under subheading 6109.10.00 of the tariff schedule:
    - (1) all white T-shirts, with short hemmed sleeves and hemmed bottom, with crew or round neckline or with V-neck and with a mitered seam at the center of the V, and without pockets, trim or embroidery;
    - (2) all white singlets, without pockets, trim or embroidery;
    - (3) other T-shirts, but not including thermal undershirts;
  - (B) T-shirts for men or boys that are classifiable under subheading 6109.90.10;
  - (C) the following apparel articles of cotton, for men or boys, that are classifiable under subheading 6110.20.20 of the tariff schedule:
    - (1) sweatshirts; or
    - (2) pullovers, other than sweaters, vests or garments imported as part of playsuits; or
  - (D) sweatshirts for men or boys, of man-made fibers and containing less than 65 percent by weight of man-made fibers, that are classifiable under subheading 6110.30.30 of the tariff schedule.
- (iii) The preferential treatment described in subdivision (j)(i) of this note shall be extended, in the 1-year period beginning October 1, 2008, and in each of the 9 succeeding 1-year periods, to not more than 70,000,000 square meter equivalents of apparel articles described in such subdivision.

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- (iv) Any apparel that qualifies for preferential treatment under subdivisions (g) through (i) or (k) through (p), inclusive, of this note or any other provision of the tariff schedule shall not be subject to, or included in the calculation of, the quantitative limitation under subdivision (j)(iii) of this note.
- (k) The preferential treatment provided in heading 9820.61.40 shall be extended to any of the following apparel articles that is wholly assembled, or knit-to-shape, in Haiti from any combination of fabrics, fabric components, components knit-to-shape or yarns and is imported directly from Haiti or the Dominican Republic without regard to the source of the fabric, fabric components, components knit-to-shape or yarns from which the article is made:
  - (i) with respect to chapter 61, subheadings 6102.20.00, 6102.90.90 (for goods subject to cotton restraints), 6104.13.20, 6104.19.15, 6104.19.60 (for jackets imported as parts of suits), 6104.19.80 (for jackets imported as parts of suits and subject to cotton restraints or subject to man-made fiber restraints), 6104.22.00 (for garments described in heading 6102 or jackets and blazers described in heading 6104), 6104.29.20 (for garments described in heading 6102 or jackets and blazers described in heading 6104, the foregoing subject to cotton restraints), 6104.32.00, 6104.39.20 (for goods subject to cotton restraints), 6112.11.00 (for women's or girls' garments described in heading 6101 or 6102), 6113.00.90 (for coats and jackets of cotton, for women or girls) or 6117.90.90 (for coats and jackets of cotton); or
  - (ii) with respect to chapter 62, subheadings 6202.12.20, 6202.19.90 (for goods subject to cotton restraints), 6202.91.20 (for goods for women), 6202.92.15, 6202.92.20 (other than padded, sleeveless jackets without attachments for sleeves), 6202.93.45, 6202.99.90 (for goods subject to cotton restraints), 6203.39.90 (for goods subject to wool restraints), 6204.12.00 (for jackets imported as parts of suits), 6204.13.20, 6204.19.20, 6204.19.80 (for jackets imported as parts of suits and subject to cotton restraints, or for goods subject to man-made fiber restraints), 6204.22.30 (for garments described in heading 6202, or for jackets and blazers described in heading 6204), 6204.23.00, 6204.29, 6204.32, 6204.33.20, 6204.39.80, 6204.42.30 (for garments for girls, other than of corduroy), 6204.43.40 (for garments for girls), 6204.44.40 (for garments for girls), 6205.20.20 (for dress shirts for men, with two or more colors in the warp and/or the filling, each with collar and sleeve size stated in inches, without dual collar sizing, the foregoing individually packaged with chipboards, pins, jett clips, individual polybags and hang tags ready for retail sale), 6205.30.20 (for dress shirts for men, with two or more colors in the warp and/or the filling, each with collar and sleeve size stated in inches, without dual collar sizing, the foregoing individually packaged with chipboards, pins, jett clips, individual polybags and hang tags ready for retail sale), 6207 (for boxers, pajamas or nightwear only), 6208 (for boxers, pajamas or nightwear only), 6209.20.10, 6210.30.90 (for garments other than of linen), 6210.50.90 (for anoraks), 6211.20.15 (for anoraks (including ski-jackets), windbreakers and similar articles (including padded, sleeveless jackets), for women or girls, of cotton, imported as parts of ski suits), 6211.20.58 (for goods of cotton), 6211.41.00 (for jackets and jacket-type garments excluded from heading 6202), 6211.42.00 (for track suits, other than trousers, or for jackets and jacket-type garments excluded from heading 6202), 6212.10 or 6217.90.90 (for coats and jackets, of cotton).
- (l) The preferential tariff treatment provided in heading 9820.42.05 shall be extended to any article classifiable under subheadings 4202.12, 4202.22, 4202.32 or 4202.92 of the tariff schedule that is wholly assembled in Haiti and is imported directly from Haiti or the

Dominican Republic, without regard to the source of the fabric, components or materials from which the article is made.

- (m) The preferential tariff treatment provided in headings 9820.65.05 shall be extended to any article classifiable under heading 6501, 6502 or 6504 or subheading 6505.90 of the tariff schedule that is wholly assembled, knit-to-shape or formed in Haiti from any combination of fabrics, fabric components, components knit-to-shape or yarns and is imported directly from Haiti or the Dominican Republic, without regard to the source of the fabric, fabric components, components knit-to-shape or yarns from which the article is made.
- (n) The preferential tariff treatment provided in heading 9820.62.20 shall be extended to any of the following apparel articles that is wholly assembled, or knit-to-shape, in Haiti from any combination of fabrics, fabric components, components knit-to-shape or yarns and is imported directly from Haiti or the Dominican Republic, without regard to the source of the fabric, fabric components, components knit-to-shape or yarns from which the article is made:
  - (i) Pajama bottoms and other sleepwear for women and girls, of cotton, that are classifiable under subheading 6208.91.30, or of man-made fibers, that are classifiable under subheading 6208.92.00; or
  - (ii) Pajama bottoms and other sleepwear for girls, of other textile materials, that are classifiable under subheading 6208.99.20.
- (o) The preferential treatment provided under heading 9820.62.25 shall be extended to apparel articles wholly assembled, or knit-to-shape, in Haiti from any combination of fabrics, fabric components, components knit-to-shape or yarns and imported directly from Haiti or the Dominican Republic, without regard to the source of the fabric, fabric components, components knit-to-shape or yarns from which the articles are made, if such apparel articles are accompanied by an earned import allowance certificate that reflects the amount of credits equal to the total square meter equivalents of such apparel articles, in accordance with the program established by the Secretary of Commerce pursuant to section 15402 of Public Law 110-246. For purposes of determining the quantity of square meter equivalents under this subdivision, the conversion factors listed in "Correlation: U.S. Textile and Apparel Industry Category System with the Harmonized Tariff Schedule of the United States of America, 2008" or its successor publications of the United States Department of Commerce shall apply.
- (p) The preferential treatment provided under heading 9820.62.30 shall be extended to any apparel article that is wholly assembled, or knit-to-shape, in Haiti from any combination of fabrics, fabric components, components knit-to-shape or yarns and is imported directly from Haiti or the Dominican Republic, without regard to the source of the fabrics, fabric components, components knit-to-shape or yarns from which the article is made, if the fabrics, fabric components, components knit-to-shape or yarns comprising the component that determines the tariff classification of the article are of any of the following:
  - (i) fabrics or yarns, to the extent that apparel articles of such fabrics or yarns would be eligible for preferential treatment, without regard to the source of the fabrics or yarns, under general note 12(t) to the tariff schedule;
  - (ii) fabrics or yarns, to the extent that such fabrics or yarns are designated as not being available in commercial quantities for purposes of--
    - (A) heading 9820.11.27;
    - (B) heading 9819.11.24;



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- (C) heading 9821.11.10;
- (D) heading 9822.05.01; or
- (E) any other provision, relating to determining whether a textile or apparel article is an originating good eligible for preferential treatment, of a law that implements a free trade agreement entered into by the United States that is in effect at the time the claim for preferential treatment is made,
- without regard to the source of the fabrics or yarns."

7. The article description of heading 9820.61.25 is modified to read as follows:

"Apparel articles described in U.S. note 6(c) to this subchapter imported directly from Haiti or the Dominican Republic during an applicable 1-year period specified in U.S. note 6(b)(ii) to this subchapter, subject to the limitations provided in U.S. note 6(g)(i) to this subchapter".

8. The article description of heading 9820.61.30 is modified to read as follows:

"Apparel articles described in U.S. note 6(e) to this subchapter imported directly from Haiti or the Dominican Republic during an applicable 1-year period specified in U.S. note 6(b)(ii) to this subchapter, subject to the limitations provided in such U.S. note 6(g)(i) to this subchapter".

9. The article description of heading 9820.62.05 is modified to read as follows:

"Apparel articles of chapter 62 to the tariff schedule, under the terms of U.S. note 6(h) to this subchapter and imported directly from Haiti or the Dominican Republic during an applicable 1-year period specified in U.S. note 6(h)(ii) to this subchapter, subject to the limitations provided in such U.S. note 6(h)(ii)".

10. The article description of heading 9820.62.12 is modified to read as follows:

"Brassieres of subheading 6212.10, under the terms of U.S. note 6(i) to this subchapter and imported directly from Haiti or the Dominican Republic".

11. The following new headings are inserted in numerical sequence in such subchapter, with the material inserted in the columns entitled "Heading/Subheading", "Article Description", and "Rates of Duty Special", respectively:

*9820.42.05	Articles of heading 4202 described in U.S. note 6(l) to this subchapter and imported directly from Haiti or the Dominican Republic.....	Free
9820.61.35	Apparel articles of chapter 61 described in U.S. note 6(j) to this subchapter and imported directly from Haiti or the Dominican Republic during any 1-year period specified in U.S. note 6(j)(iii) to this subchapter, subject to the limitations provided in such U.S. note 6(j)(iii).....	Free
9820.61.40	Apparel articles described in U.S. note 6(k) to this subchapter and imported directly from Haiti or the Dominican Republic.....	Free
9820.62.20	Pajama bottoms and other sleepwear described in U.S. note 6(n) to this subchapter and imported directly from Haiti or the Dominican Republic.....	Free
9820.62.25	Apparel articles described in U.S. note 6(o) to this subchapter and imported directly from Haiti or the Dominican Republic.....	Free
9820.62.30	Apparel articles described in U.S. note 6(p) to this subchapter and imported directly from Haiti or the Dominican Republic.....	Free
9820.65.05	Articles described in U.S. note 6(m) to this subchapter and imported directly from Haiti or the Dominican Republic.....	Free"

## Proclamation 8297 of October 1, 2008

**National Breast Cancer Awareness Month, 2008**

*By the President of the United States of America*  
*A Proclamation*

During National Breast Cancer Awareness Month, we underscore our commitment to fighting and preventing this devastating disease. Breast cancer is one of the most common types of cancer among women, and we must strengthen our support of those who are living with this disease while continuing to work toward a cure.

Breast cancer can be attributed to many factors, including age, genetics, obesity, and family history. Women who exercise regularly, maintain healthy diets, and have yearly visits with their doctors are less likely to get breast cancer. Various screening measures such as mammograms, regular breast self-exams, and clinical breast exams can help detect cancer before it has a chance to spread. Early detection allows for early intervention, helps make treatment more effective, and gives hope to patients and saves lives.

America leads the world in medical research, and my Administration will continue to support efforts to treat and cure breast cancer. Since 2005, the Cancer Genome Atlas has studied the genetic sources of all types of cancer, and last year, I signed the “National Breast and Cervical Cancer Early Detection Program Reauthorization Act of 2007,” which will help millions of low-income and uninsured women get the screenings they need to detect cancer early. First Lady Laura Bush has encouraged women around the world to take charge of their health and emphasized the importance of screenings and early detection. In partnership with Federal agencies, State health agencies, and other medical professionals, my Administration has taken action to improve our Nation’s healthcare system and helped promote the prevention, detection, and treatment of breast cancer.

This month, we honor those currently battling the disease and all who have survived the fight against breast cancer. We are inspired by their strength and determination. We recognize and applaud the hard-working caregivers and researchers who are dedicated to providing comfort and assistance to those with breast cancer and to treating and curing this disease. We also remember those lost to breast cancer and extend our thoughts and prayers to their families.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2008 as National Breast Cancer Awareness Month. I call upon Government officials, businesses, communities, health care professionals, educators, volunteers, and the people of the United States to continue our Nation’s strong commitment to preventing, treating, and ultimately curing breast cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8298 of October 1, 2008**

**National Disability Employment Awareness Month, 2008**

*By the President of the United States of America  
A Proclamation*

During National Disability Employment Awareness Month, we reaffirm our commitment to ensuring that our Nation's promise extends to all our citizens.

Millions of Americans live with disabilities, and many other Americans will become disabled at some point in their lives. To integrate people with disabilities more fully into every aspect of life, our country is working to advance greater freedoms at work, in schools, and throughout communities. By expanding employment opportunities and fighting false perceptions that hinder people living with disabilities from joining the workforce, we can uphold America's moral values, strengthen our economy, and make America a more hopeful place.

More than 7 years ago, my Administration announced the New Freedom Initiative, which expanded upon the landmark reforms of the Americans with Disabilities Act. Since then, the Initiative has increased access for people with disabilities through technology, provided additional educational opportunities for youth, and integrated more Americans into the workforce. My Administration remains committed to empowering all people to reach their full educational, social, and professional goals. To learn more about the Federal Government's disability-related programs, please visit [DisabilityInfo.gov](http://DisabilityInfo.gov).

To recognize the contributions of Americans with disabilities and to encourage all citizens to ensure equal opportunity in the workforce, the Congress has designated October of each year (36 U.S.C. 121) as "National Disability Employment Awareness Month."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 2008 as National Disability Employment Awareness Month. I call upon Government officials, labor leaders, employers, and the people of the United States to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8299 of October 1, 2008**

**National Domestic Violence Awareness Month, 2008**

*By the President of the United States of America*

*A Proclamation*

Our Nation has a moral obligation to work to prevent domestic violence and address its brutal and destructive effects. During National Domestic Violence Awareness Month, we underscore our commitment to helping individuals across our country who face such devastating violence.

My Administration remains dedicated to eradicating domestic violence and helping victims find the compassion, comfort, and healing they need. In 2003, I announced the creation of the Family Justice Center Initiative to help local communities provide comprehensive services at one location for victims of domestic violence. In 2006, I was proud to sign legislation that reauthorized the Violence Against Women Act to improve criminal justice responses to domestic violence, sexual assault, and stalking. The Department of Justice's Domestic Violence Transitional Housing Assistance Program also offers victims of violence counseling and transitional housing services so they can escape the cycle of abuse.

During this month, we rededicate ourselves to protecting vulnerable members of our society and ensuring domestic abusers are punished to the full extent of the law. We encourage victims of domestic violence and their families to seek assistance through Family Justice Centers and the National Domestic Violence Hotline at 1-800-799-SAFE. Together, we can help heal hearts and build a culture in which all Americans can pursue their dreams and realize the great promise of our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 2008, as National Domestic Violence Awareness Month. I urge all Americans to reach out to victims of domestic violence and take action to make ending domestic violence a national priority.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8300 of October 3, 2008**

**Child Health Day, 2008**

*By the President of the United States of America*

*A Proclamation*

Americans have a duty to promote the health and safety of our children. On Child Health Day, we affirm that all children are a precious gift, and we underscore our commitment to helping them realize their full potential.

Families are the foundation of our society, and parents play the vital role of providing stability, guidance, and discipline so children can lead healthy lives. Teachers, caregivers, and mentors can also help teach children about the importance of making good choices. All Americans can help our Nation's youth become healthy and responsible adults by encouraging them to avoid risky behaviors such as early sexual activity, drugs, alcohol, and violence.

My Administration remains dedicated to helping younger generations achieve their dreams by supporting programs that encourage children to maintain healthy and active lifestyles. The Helping America's Youth initiative, led by First Lady Laura Bush, is helping children make smart decisions so they can confront challenges and live longer and better lives. The HealthierUS initiative encourages positive habits and addresses public health issues facing our Nation's youth, such as childhood obesity. Through the President's Challenge, we are promoting personal fitness and encouraging youth to stay active beyond the school gym. Through these and other efforts, we can make our country stronger by teaching children the importance of healthy choices.

The Congress, by a joint resolution approved May 18, 1928, as amended (36 U.S.C. 105), has called for the designation of the first Monday in October as "Child Health Day" and has requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim Monday, October 6, 2008, as Child Health Day. I call upon families, schools, child health professionals, faith-based and community organizations, and State and local governments to reach out to our Nation's young people, encourage them to avoid dangerous behavior, and help them make the right choices to achieve their dreams.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

#### **Proclamation 8301 of October 3, 2008**

#### **German-American Day, 2008**

*By the President of the United States of America  
A Proclamation*

For generations, German Americans have contributed to our Nation's identity, culture, and prosperity. On German-American Day, we recognize the many Americans with German ancestry who helped make our country great, and we celebrate our strong friendship with Germany.

The people of Germany and the United States share important family and cultural ties, and millions of American citizens are of German descent. Some of their forebears were among the first to settle Jamestown, and they and many others like them helped lay the foundation for our country, which has become the most prominent symbol of freedom in the world.

Many German Americans have shaped our way of life and added to our country's rich heritage.

In celebrating German-American Day, we honor generations of German Americans who came to our shores with dreams of opportunity and contributed to the greatness of our country.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 6, 2008, as German-American Day. I encourage all Americans to celebrate the many contributions German Americans have made to our Nation's liberty and prosperity.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8302 of October 3, 2008**

**Fire Prevention Week, 2008**

*By the President of the United States of America  
A Proclamation*

Fire Prevention Week is an opportunity to call attention to the importance of fire safety, especially in the home, and to honor our Nation's firefighters for their heroism.

Americans can help reduce home fires by taking simple steps such as regularly inspecting furnaces and fireplaces, keeping space heaters at least 3 feet from flammable materials, and checking the condition of electrical cords. Making sure that smoke alarms and fire extinguishers work can also help minimize the impact of home and building fires. I encourage all Americans to remember this year's theme—"It's Fire Prevention Week: Prevent Home Fires!"—and to check their homes for fire hazards to help prevent disasters.

Across our Nation, firefighters put themselves at risk to protect our communities, and their selfless dedication has saved countless lives. America's Bravest hold a cherished place in our hearts, and we honor those who have paid the ultimate price to protect citizens in harm's way. The sacrifice of these men and women is an inspiration to all and epitomizes the true meaning of heroism.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 5 through October 11, 2008, as Fire Prevention Week. On Sunday, October 5, 2008, in accordance with Public Law 107-51, the flag of the United States will be flown at half staff on all Federal office buildings in honor of the National Fallen Firefighters Memorial Service. I call on all Americans to participate in this observance through appropriate programs and activities and by renewing their efforts to prevent fires and their tragic consequences.

**Proclamations**

**Proc. 8303**

IN WITNESS WHEREOF, I have hereunto set my hand this third day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8303 of October 8, 2008**

**Leif Erikson Day, 2008**

*By the President of the United States of America  
A Proclamation*

On Leif Erikson Day, we remember that son of Iceland and grandson of Norway for his journey to North America, and we celebrate the influential role Nordic Americans have played in our society.

Leif Erikson was among the world's greatest and most daring explorers. More than 1,000 years ago, he led a crew across the Atlantic to North America. Today, the same desire to explore and open new frontiers inspires our citizens and contributes to the strength of our Nation.

America's friendships with Denmark, Finland, Iceland, Norway, and Sweden are strong, and Nordic Americans have added to our rich cultural diversity and proud ancestry. On this day, we recognize these individuals for their remarkable achievements in all sectors of our society. America is grateful for the many contributions of Nordic Americans, and we continue to draw inspiration from the courage and optimism of the adventurous Leif Erikson.

To honor Leif Erikson and to celebrate our citizens of Nordic American heritage, the Congress, by joint resolution (Public Law 88–566) approved on September 2, 1964, has authorized the President to proclaim October 9 of each year as “Leif Erikson Day.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 9, 2008, as Leif Erikson Day. I call upon all Americans to observe this day with appropriate ceremonies, activities, and programs to honor our rich Nordic-American heritage.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

## Proclamation 8304 of October 10, 2008

## National School Lunch Week, 2008

*By the President of the United States of America*  
*A Proclamation*

During National School Lunch Week, we underscore the importance of providing America's children with access to nutritious meals and helping them develop good eating habits through the National School Lunch Program.

The National School Lunch Program is a federally assisted meal program administered by the Department of Agriculture's Food and Nutrition Service in cooperation with State agencies. Since 1946, the National School Lunch Program has served more than 187 billion lunches to students across America. The program is designed to ensure that each day millions of children are receiving the healthy food necessary to succeed by providing access to nutritious low-cost or free meals. By serving well-balanced meals that are lower in fat and have plenty of fruits, vegetables, and whole-grain foods, this program helps children learn healthy eating habits, reduce their risk of serious health problems, and perform better in the classroom.

Throughout National School Lunch Week, we recognize the school officials and parents who encourage young people to develop good eating habits. We also thank the dedicated food service professionals who serve our children healthy foods each day at school.

In recognition of the contributions of the National School Lunch Program to the health, education, and well-being of America's children, the Congress, by joint resolution of October 9, 1962 (Public Law 87-780), as amended, has designated the week beginning on the second Sunday in October of each year as "National School Lunch Week" and has requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim the week of October 12 through October 18, 2008, as National School Lunch Week. I call upon all Americans to join the dedicated individuals who administer the National School Lunch Program in appropriate activities that support the health and well-being of our Nation's children.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH



**Proclamation 8305 of October 10, 2008****Columbus Day, 2008**

*By the President of the United States of America  
A Proclamation*

Christopher Columbus' bold voyage across the Atlantic changed the world forever. On Columbus Day, we remember this Italian explorer's courage in traveling to the unknown and celebrate his landmark achievements and lasting legacy.

History holds remarkable examples of heroism and adventure, and the journey of the navigator from Genoa in 1492 is one of history's great stories of daring and bravery. Columbus' expedition became an epic of discovery and opened up the New World for future generations. His journey will forever stand as a testament to his intrepid spirit and persistence. Today, his legacy of discovery and determination is an example for innovators and dreamers as they pursue broader understanding and use their talents to benefit humanity.

Columbus Day is also an opportunity to reaffirm the close ties between the United States and Italy. Our two countries will continue to work together to advance liberty, peace, and prosperity around the globe. Our Nation recognizes the many inspiring contributions made by Americans of Italian descent. We also honor the dedication and sacrifice of Italian Americans who are serving in our country's Armed Forces. In commemoration of Columbus' journey, the Congress has requested (36 U.S.C. 107) that the President proclaim the second Monday of October of each year as "Columbus Day."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 13, 2008, as Columbus Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities. I also direct that the flag of the United States be displayed on all public buildings on the appointed day in honor of Christopher Columbus.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8306 of October 10, 2008****General Pulaski Memorial Day, 2008**

*By the President of the United States of America  
A Proclamation*

On General Pulaski Memorial Day, we celebrate General Casimir Pulaski's selfless dedication to the cause of freedom during the American Revolution.

In our Nation's struggle for independence, brave individuals such as Casimir Pulaski came to our shores and risked their lives to help bring liberty to a new continent. General Pulaski fought first against Russian domination of his Polish homeland and later joined General George Washington's Continental Army. Pulaski's valor in battle and love of freedom earned him the rank of Brigadier General and authority to organize an independent corps of cavalry. Through his skilled leadership and cavalry tactics he became known as the "Father of the American Cavalry." During the siege of Savannah, General Pulaski was mortally wounded, making the ultimate sacrifice for our country and the cause of freedom.

General Pulaski's life exemplifies the courage and determination of the many Polish immigrants who have helped make the United States the greatest Nation on Earth. On General Pulaski Memorial Day, we recognize our time-honored friendship with Poland, and we are reminded of the great price our forefathers paid so that we might live in liberty.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 11, 2008, as General Pulaski Memorial Day. I urge Americans to commemorate this occasion with appropriate activities and ceremonies honoring General Casimir Pulaski and all those who defend our freedom.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

#### **Proclamation 8307 of October 13, 2008**

#### **White Cane Safety Day, 2008**

*By the President of the United States of America  
A Proclamation*

Compassion is one of our Nation's defining values, and we must work to ensure that all Americans are able to participate fully in society. The white cane allows many of our citizens who are blind or visually impaired to enjoy increased mobility. On White Cane Safety Day, we celebrate the symbolism of the white cane and highlight the importance of ensuring that individuals who are blind or visually impaired can live independently and realize their full potential.

Through the New Freedom Initiative, my Administration has put into action our strong commitment to helping more individuals with disabilities participate in all aspects of life. Since 2001, this initiative has built on the progress of the Americans with Disabilities Act and helped create greater access to schools, the workplace, and community life. These efforts are helping to remove barriers and enabling more Americans to live with greater dignity and freedom.

**Proclamations**

**Proc. 8308**

The Congress, by joint resolution approved on October 6, 1964 (Public Law 88-628), as amended, has designated October 15 of each year as “White Cane Safety Day.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 15, 2008, as White Cane Safety Day. I call upon public officials, business leaders, educators, librarians, and all the people of the United States to observe this day with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8308 of October 16, 2008**

**National Character Counts Week, 2008**

*By the President of the United States of America  
A Proclamation*

The strength of our Nation is found in the character of our citizens. During National Character Counts Week, we recommit ourselves to instilling strong values in our youth and encourage all Americans to develop good character.

Parents and families can teach children the timeless principles of respect, responsibility, honesty, commitment, and compassion. In our communities, parents, mentors, clergy members, teachers, coaches, and neighbors serve as role models by dedicating their time and talents to help others. At home and abroad, members of our Armed Forces exemplify the true character of our Nation by bravely protecting our freedom and serving a cause greater than self.

The Helping America’s Youth initiative, led by First Lady Laura Bush, connects young people with caring adults and community organizations that help them avoid risky behavior and achieve success. By becoming actively involved in the lives of children, we can help our young people make the right choices and lead lives of integrity and achievement.

National Character Counts Week is an opportunity for our citizens to reaffirm their responsibility to their communities and to recognize the importance of teaching strong values to our next generation of leaders. For more information on ways to set a positive example and make a lasting contribution to the future of our country, citizens can visit [volunteer.gov](http://volunteer.gov).

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 19 through October 25, 2008, as National Character Counts Week. I call upon public officials, educators, librarians, parents, students, and all Americans to observe this week with appropriate ceremonies, activities, and programs.

**Proc. 8309**

**Title 3—The President**

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8309 of October 16, 2008**

**National Forest Products Week, 2008**

*By the President of the United States of America  
A Proclamation*

During National Forest Products Week, we highlight our country's commitment to protect and wisely use America's forests for our Nation's prosperity and well-being.

Across our country, citizens rely on forest products to meet their daily needs. Our forests enable us to produce goods such as paper and furniture, provide raw materials such as lumber for homes and buildings, and offer job opportunities that bring economic security for many Americans.

My Administration is steadfast in its commitment to protect our forests from both manmade and natural harm. It is vital that we continue to make progress in conserving our natural resources and using them responsibly. Since 2002, we have worked to restore our forests and protected them against catastrophic fires as part of the Healthy Forests Initiative. Americans take great pride in our country's natural splendor, and by working together to be good stewards of the environment, we can leave our children and grandchildren a healthy and flourishing land.

Recognizing the importance of our forests in ensuring our Nation's well-being, the Congress, by Public Law 86-753 (36 U.S.C. 123), as amended, has designated the week beginning on the third Sunday in October of each year as "National Forest Products Week" and has authorized and requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 19 through October 25, 2008, as National Forest Products Week. I call upon all Americans to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8310 of October 23, 2008****United Nations Day, 2008**

*By the President of the United States of America  
A Proclamation*

On October 24, 1945, in the wake of the devastation left by World War II, the United Nations was formally established. Today, we recognize the many contributions of the United Nations and renew our commitment to its founding principles.

Sixty-three years ago, representatives from around the world completed the founding charter of the United Nations and pledged to reaffirm faith in fundamental human rights and to unite their strength to maintain international peace and security. It is vital that this noble pledge continue to guide the United Nations throughout the 21st century. By taking an unequivocal stand against terrorists, those who traffic in persons, and all who exploit the poor, the needy, and the marginalized, the United Nations can live up to the noble ideals of the Universal Declaration of Human Rights.

The United Nations is an organization with extraordinary potential for good works. On United Nations Day, we recommit ourselves to reforming the U.N., ensuring the highest standards are upheld throughout the organization, and renewing the principals of its charter for the 21st century.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 24, 2008, as United Nations Day. I urge the Governors of the 50 States, the Governor of the Commonwealth of Puerto Rico, and the officials of other areas under the flag of the United States to observe United Nations Day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8311 of October 29, 2008****National Family Caregivers Month, 2008**

*By the President of the United States of America  
A Proclamation*

During National Family Caregivers Month we recognize and celebrate the many individuals throughout our country who work each day to ensure a better quality of life for their family members. Through their selfless action, these caregivers provide their loved ones support and comfort as they age, combat illness, or suffer from disability.

Our Nation is compassionate, and we believe in the sanctity of life at all stages. Through tireless efforts and inspiring deeds, many Americans care

for loved ones in need. By acting as in-home care providers, people across our Nation are helping to ensure that their family members are provided with love, comfort, and security. My Administration has worked to offer caregivers support and training. In 2006, I signed the Lifespan Respite Care Act of 2006, which established a program to help family caregivers get access to affordable and high-quality respite care. In addition, the National Family Caregiver Support Program encourages cooperation among government agencies and other organizations that support and work with family caregivers.

National Family Caregivers Month is an opportunity to recognize those who serve a cause greater than self and contribute to the well-being of their loved ones. Family caregivers are soldiers in America's armies of compassion and set an inspiring example for their fellow citizens.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2008 as National Family Caregivers Month. I encourage all Americans to honor the selfless service of caregivers who support their loved ones in need.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8312 of October 29, 2008**

**National Alzheimer's Disease Awareness Month, 2008**

*By the President of the United States of America*

*A Proclamation*

During National Alzheimer's Disease Awareness Month, we recognize the dignity and courage of the men and women living with Alzheimer's disease. We also honor the devoted family members and caretakers who bring them love and comfort, and we underscore our dedication to finding a cure for this tragic disease.

Alzheimer's disease is a brain disorder that seriously impairs a person's ability to function normally. Age is the most important known risk factor, and scientists are studying the role that genetics, education, diet, and environment might play in the development of this debilitating disease. Through research supported by the National Institutes of Health and the Department of Veterans Affairs, we are learning more about the disease and enhancing the quality of life for those affected. In addition, the Department of Health and Human Services is improving the delivery of home and community-based services to people with Alzheimer's.

National Alzheimer's Disease Awareness Month is an opportunity to pay tribute to the courageous individuals facing this disease and remember the precious lives lost due to Alzheimer's. All Americans appreciate the strong

support and dedication of the families, medical professionals, scientific researchers, and caregivers who are helping build a society that values the life and dignity of every person.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2008 as National Alzheimer's Disease Awareness Month. I call upon the people of the United States to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8313 of October 30, 2008**

**National American Indian Heritage Month, 2008**

*By the President of the United States of America*

*A Proclamation*

During National American Indian Heritage Month, we celebrate the rich ancestry of American Indians and Alaska Natives and recognize their many contributions to our national story.

Native Americans have enriched our heritage and added to all aspects of our society. Our country is blessed to have their character and strength, and we are especially grateful for the generations of Native Americans who have answered the call to defend our country. During World War II, these brave patriots used their native languages to create an unbreakable oral code. Today, that legacy continues as Native Americans work to advance freedom's cause.

My Administration remains committed to protecting tribal sovereignty and the right to self-determination and to working with tribes on a government-to-government basis. To help more Native Americans realize the dream of home ownership, I signed the Native American Housing Assistance and Self-Determination Reauthorization Act of 2008. For nearly eight years, we have also worked to strengthen educational opportunities for all Americans. In 2004, I issued an executive order to help Native American students fulfill the challenging standards of the No Child Left Behind Act. This order established the Interagency Working Group on American Indian and Alaska Native Education to improve educational programs consistent with tribal traditions, languages, and cultures. By setting high standards for academic achievement, we are enabling more Americans throughout our country to pursue their dreams. During this month, we honor our native peoples and recognize them for strengthening the diversity of our society.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2008 as National

**Proc. 8314**

**Title 3—The President**

American Indian Heritage Month. I call upon all Americans to commemorate this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8314 of October 30, 2008**

**National Diabetes Month, 2008**

*By the President of the United States of America*

*A Proclamation*

Many Americans, of all ages and backgrounds, are affected by diabetes. National Diabetes Month is an opportunity to inform individuals about the risk factors, prevention, and treatment of this serious disease.

Diabetes is a debilitating disease that results from the body's inability to produce or use insulin effectively. Type 1 diabetes, once known as juvenile diabetes, usually affects children and young adults who are dependant on medication for their lack of insulin. The most common form of diabetes is Type 2 diabetes. Family history and lifestyle risk factors contribute to the possibility of developing Type 2 diabetes. Regular physical activity, healthy eating habits, and consultation with a doctor can help prevent and reduce the effects of this disease.

My Administration is committed to preventing diabetes and finding a cure for this disease. We have provided substantial funding for diabetes education programs and research initiatives. Through the Department of Health and Human Services and other organizations, the National Diabetes Education Program is helping increase awareness among Americans about the risk factors of diabetes and the benefits of making healthy choices. Our Nation must continue to support initiatives that will help turn today's research opportunities into tomorrow's medical success stories.

During National Diabetes Month, we celebrate the medical professionals, researchers, and all those whose time, talents, and energy support the fight against diabetes. Through these efforts and enhanced public awareness of this serious disease, we will work to continue to bring the hope of a healthier future to more Americans.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2008 as National Diabetes Month. I call upon all Americans to learn more about the risk factors and symptoms associated with diabetes and to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH



**Proclamation 8315 of October 31, 2008****National Adoption Month, 2008**

*By the President of the United States of America  
A Proclamation*

During National Adoption Month, we recognize the compassion of adoptive and foster families as we seek to raise awareness of the need for every child in America to have a safe, loving, and permanent home.

Adopting a child is a great joy and also a great responsibility. Parents are a child's first teachers, and adoptive families can help children learn character and values, the importance of giving back to their community and country, and the courage to realize their potential. On November 15, caring parents across our Nation will celebrate National Adoption Day by finalizing their adoptions and bringing home children in need of a hopeful life.

My Administration is committed to helping young people find the love, stability, and support that a family can provide. We have joined with community and faith-based organizations to raise public awareness of foster children awaiting adoption. With the help of the Congress, we are assisting families in overcoming the financial barriers to adopting children through programs such as the Adoption Incentives Program. In addition, the Collaboration to AdoptUsKids project, which can be found at [adoptuskids.org](http://adoptuskids.org), provides guidance and resources for parents exploring adoption.

During National Adoption Month, we honor adoptive and foster parents who have shown America the depth and kindness of the human heart. Their love and dedication inspire the next generation of Americans to achieve their dreams and demonstrate the true spirit of our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2008 as National Adoption Month. I call upon all Americans to observe this month with appropriate programs and activities to honor adoptive families and to participate in efforts to find permanent homes for waiting children.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8316 of October 31, 2008****National Hospice Month, 2008**

*By the President of the United States of America  
A Proclamation*

During National Hospice Month, we honor the dedicated health care professionals and volunteers who help the terminally ill spend their final days

in comfort and with dignity. Hospice care providers and other compassionate individuals are a constant reminder that the greatness of America lies in the hearts and souls of its citizens.

Americans believe that every person has matchless value throughout all of life's stages. Hospice physicians, nurses, counselors, and volunteers put this belief into action by using their talents and energy to care for those who are terminally ill and by providing support and comfort to their loved ones. As an alternative to traditional services, hospice care frequently provides assistance in the home so that patients can be surrounded by family and friends. Hospice counselors offer guidance to patients, as well as to those close to them, as they deal with grief, anxiety, and other end-of-life issues. Through these and countless other acts of compassion, our Nation's hospice caregivers lift up souls, offer peace of mind, and strengthen America's culture of life.

Throughout National Hospice Month, we recognize hospice care professionals and volunteers for their selfless efforts to provide physical, psychological, and spiritual assistance to terminally ill patients and their families.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2008 as National Hospice Month. I encourage all Americans to observe this month with appropriate programs and activities. I also ask Americans to recognize our health care professionals and volunteers for their contributions to helping provide comfort and care to those facing terminal illness.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

#### **Proclamation 8317 of October 31, 2008**

#### **Veterans Day, 2008**

*By the President of the United States of America  
A Proclamation*

On Veterans Day, we pay tribute to the service and sacrifice of the men and women who in defense of our freedom have bravely worn the uniform of the United States.

From the fields and forests of war-torn Europe to the jungles of Southeast Asia, from the deserts of Iraq to the mountains of Afghanistan, brave patriots have protected our Nation's ideals, rescued millions from tyranny, and helped spread freedom around the globe. America's veterans answered the call when asked to protect our Nation from some of the most brutal and ruthless tyrants, terrorists, and militaries the world has ever known. They stood tall in the face of grave danger and enabled our Nation to become the greatest force for freedom in human history. Members of the Army, Navy, Air Force, Marines, and Coast Guard have answered a high calling to serve and have helped secure America at every turn.

Our country is forever indebted to our veterans for their quiet courage and exemplary service. We also remember and honor those who laid down their lives in freedom's defense. These brave men and women made the ultimate sacrifice for our benefit. On Veterans Day, we remember these heroes for their valor, their loyalty, and their dedication. Their selfless sacrifices continue to inspire us today as we work to advance peace and extend freedom around the world.

With respect for and in recognition of the contributions our service members have made to the cause of peace and freedom around the world, the Congress has provided (5 U.S.C. 6103(a)) that November 11 of each year shall be set aside as a legal public holiday to honor America's veterans.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim November 11, 2008, as Veterans Day and urge all Americans to observe November 9 through November 15, 2008, as National Veterans Awareness Week. I encourage all Americans to recognize the bravery and sacrifice of our veterans through ceremonies and prayers. I call upon Federal, State, and local officials to display the flag of the United States and to support and participate in patriotic activities in their communities. I invite civic and fraternal organizations, places of worship, schools, businesses, unions, and the media to support this national observance with commemorative expressions and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

#### **Proclamation 8318 of November 7, 2008**

#### **World Freedom Day, 2008**

*By the President of the United States of America  
A Proclamation*

On World Freedom Day, we celebrate the anniversary of the historic fall of the Berlin Wall and honor the brave citizens of East and West Germany who helped secure freedom and liberty for future generations.

The Berlin Wall stood as a barrier that isolated the victims of imperial Communism and totalitarian power from the promise of the free world. Standing in the presence of the wall, with an unshakable belief in the power of liberty, President Ronald Reagan issued a resounding challenge on behalf of the free and the unfree alike: "Mr. Gorbachev, tear down this wall." On November 9, 1989, the citizens of East Germany finally triumphed over their Communist oppressors, and the Berlin Wall came tumbling down. As the hope of freedom spread, the Soviet empire collapsed, the Iron Curtain was lifted, and Eastern and Central Europe were liberated from decades of cruel tyranny.

The Cold War demonstrated once again that freedom is precious and cannot be taken for granted, that evil is real and must be confronted, and that if they are allowed to do so, harsh rulers will subjugate others in the name

of hateful ideologies. History has also proven that the transformative power of liberty overcomes this oppression. Today, many former Communist countries are using their sovereignty to aid the rise of other young democracies and to shine the light of conscience on human rights abuses. Our belief in the universality of freedom is challenged time and again, but we continue to go forward with confidence that free nations will always prevail over the enemies of liberty, peace, and justice.

On World Freedom Day, we are reminded that injustice overseas can threaten our way of life at home, and we renew our commitment to helping those who suffer under the weight of oppression.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 9, 2008, as World Freedom Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities, reaffirming our dedication to freedom and democracy.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of November, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

#### Proclamation 8319 of November 14, 2008

#### America Recycles Day, 2008

*By the President of the United States of America  
A Proclamation*

On America Recycles Day, we highlight the importance of recycling as a way to safeguard and protect the environment and preserve our precious natural resources.

We live in a country of splendor and beauty, and no matter which State each of us calls home, we all have a responsibility to practice good environmental stewardship. It is in our Nation's best interest that government, businesses, community organizations, and individuals work together to conserve our natural resources. The Environmental Protection Agency, through its Resource Conservation Challenge, is encouraging communities to increase recycling collection. Through the Plug-In To eCycling Campaign, we are working to make it easier for Americans to donate or safely recycle old electronics, including TVs, computers, and cell phones. By recycling we can strengthen local economies, reduce greenhouse gases, conserve natural resources, and save landfill space. Using our resources wisely, we can make our communities more livable and our world a cleaner place for our children and grandchildren.

On this day, we remember our opportunity to preserve the great American landscape through recycling. By continuing to work together, we can maintain and enjoy the beauty of our land for generations to come.

**Proclamations**

**Proc. 8320**

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 15, 2008, as America Recycles Day. I call upon the people of the United States to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of November, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8320 of November 19, 2008**

**National Farm-City Week, 2008**

*By the President of the United States of America  
A Proclamation*

Farmers and ranchers display the values of hard work and good stewardship, and National Farm-City Week is an opportunity to recognize these individuals and their urban partners for contributing to our Nation's well-being.

Farming, America's first industry, helps feed and clothe our citizens and increasingly provides more of our energy. The agricultural sector also employs more than a million people across our Nation. Farming has been a cornerstone of our country since its founding and continues to be a vital part of our economy.

Our farmers and ranchers provide a safe, healthy, and abundant food supply, yet they could not succeed in doing so without essential partnerships with urban communities to supply, sell, and deliver finished products across our country and around the world. These cooperative efforts help to create a prosperous future for our citizens and people everywhere.

Since 2001, my Administration has been committed to strengthening our agricultural sector, and we have worked to create an environment that will stimulate growth by opening new markets, encouraging free and fair trade, and keeping taxes low. As we celebrate this week, we recognize the vital work of farmers and ranchers, and we pay tribute to all those who strengthen the relationships between our rural and urban communities.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 21 through November 27, 2008, as National Farm-City Week. I encourage all Americans to join in recognizing farmers, ranchers, and all those who contribute to the strength of America's agricultural industry.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of November, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

Proclamation 8321 of November 20, 2008

**National Family Week, 2008**

*By the President of the United States of America  
A Proclamation*

During National Family Week, we reflect on the important values and character that families instill in their children and in our society.

Families offer a stable and nurturing environment for children by providing support and comfort. A child's parents, siblings, grandparents, aunts and uncles, and other family members show them love and teach them right from wrong. Strong families set a positive example and help young people grow into compassionate and responsible citizens.

My Administration believes families strengthen our communities and help shape the character and future of our Nation. Over the years, we have demonstrated our deeply held commitment to supporting America's families by signing laws that respect the sanctity of life, lower taxes, double the child tax credit, reduce the marriage penalty, and empower parents to make choices about their children's education. In addition, the Helping America's Youth initiative, led by First Lady Laura Bush, is dedicated to raising awareness about the importance of positive youth development by keeping children connected to family, school, and community.

National Family Week is also a time to show our appreciation to our Nation's military families. We recognize their sacrifices, and we pray for their loved ones in the Armed Forces who are laying a foundation of peace for future generations. We owe a debt of gratitude to the brave men and women who have answered the call to serve our country and their families who support them.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 23 through November 29, 2008, as National Family Week. I invite the States, communities, and all the people of the United States to join together in observing this week with appropriate ceremonies and activities to honor our Nation's families.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of November, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

## Proclamation 8322 of November 21, 2008

## Thanksgiving Day, 2008

*By the President of the United States of America  
A Proclamation*

Thanksgiving is a time for families and friends to gather together and express gratitude for all that we have been given, the freedoms we enjoy, and the loved ones who enrich our lives. We recognize that all of these blessings, and life itself, come not from the hand of man but from Almighty God.

Every Thanksgiving, we remember the story of the Pilgrims who came to America in search of religious freedom and a better life. Having arrived in the New World, these early settlers gave thanks to the Author of Life for granting them safe passage to this abundant land and protecting them through a bitter winter. Our Nation's first President, George Washington, stated in the first Thanksgiving proclamation that "It is the duty of all nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and favor." While in the midst of the Civil War, President Abraham Lincoln revived the tradition of proclaiming a day of thanksgiving, asking God to heal our wounds and restore our country.

Today, as we look back on the beginnings of our democracy, Americans recall that we live in a land of many blessings where every person has the right to live, work, and worship in freedom. Our Nation is especially thankful for the brave men and women of our Armed Forces who protect these rights while setting aside their own comfort and safety. Their courage keeps us free, their sacrifice makes us grateful, and their character makes us proud. Especially during the holidays, our whole country keeps them and their families in our thoughts and prayers. Americans are also mindful of the need to share our gifts with others, and our Nation is moved to compassionate action. We pay tribute to all caring citizens who reach out a helping hand and serve a cause larger than themselves.

On this day, let us all give thanks to God who blessed our Nation's first days and who blesses us today. May He continue to guide and watch over our families and our country always.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 27, 2008, as a National Day of Thanksgiving. I encourage all Americans to gather together in their homes and places of worship with family, friends, and loved ones to strengthen the ties that bind us and give thanks for the freedoms and many blessings we enjoy.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of November, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

Proclamation 8323 of November 25, 2008

**To Provide for Duty-Free Treatment Under the Earned Import Allowance Program, and for Other Purposes**

*By the President of the United States of America*

*A Proclamation*

1. Section 404 of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (the “CAFTA-DR Act”), as added by section 2 of Public Law 110–436, 122 Stat. 4976, provides for preferential tariff treatment of eligible apparel articles wholly assembled in an eligible country and imported directly from an eligible country, if such articles are accompanied by an earned import allowance certificate issued under a program established by the Secretary of Commerce.

2. Section 404(e)(1) of the CAFTA-DR Act, as amended, provides that the program providing this preferential treatment shall be in effect for the 10-year period beginning on the date on which the President certifies to the appropriate congressional committees that sections A, B, C, and D of the Annex to Presidential Proclamation 8213 of December 20, 2007, have taken effect.

3. On August 7, 2008, the United States Trade Representative (USTR) published a notice in the *Federal Register* (73 FR 46057) announcing that August 15, 2008, would be the effective date for sections A, B, C, and D of the Annex to Presidential Proclamation 8213.

4. I have determined, and hereby certify, that the provisions of Proclamation 8213 referenced in section 404(e)(1) of the CAFTA-DR Act, as amended, have taken effect.

5. Section 6002 of the Africa Investment Incentive Act of 2006 (division D, title VI of Public Law 109–432) (the “2006 Act”) amended section 112(c) of the African Growth and Opportunity Act (AGOA) (19 U.S.C. 3721(c)) to modify the preferential tariff treatment accorded to designated lesser developed beneficiary sub-Saharan African countries.

6. Pursuant to section 6002 of the 2006 Act, in Proclamation 8114 of March 19, 2007, I proclaimed modifications to the Harmonized Tariff Schedule of the United States (HTS) to provide the tariff treatment authorized by the 2006 Act. The HTS provisions proclaimed in Proclamation 8114 were modified by Proclamation 8157 of June 28, 2007, and Proclamation 8240 of April 17, 2008, to provide the tariff treatment authorized by the 2006 Act.

7. Section 3 of Public Law 110–436 amends section 112(c) of the AGOA to modify the tariff treatment applicable to lesser developed beneficiary sub-Saharan African countries, and to provide that Mauritius is to be treated as a lesser developed beneficiary sub-Saharan African country for purposes of the AGOA.

8. Accordingly, in order to reflect the amendments to section 112(c) of the AGOA, I have determined that it is appropriate to modify the HTS to reflect the tariff treatment provided to lesser developed beneficiary sub-Saharan African countries and to provide that Mauritius is to be treated as a



lesser developed beneficiary sub-Saharan African country for purposes of the AGOA.

9. Section 203(e)(1)(A)(i) of the Andean Trade Preference Act, as amended (ATPA) (19 U.S.C. 3202(e)(1)(A)(i)), authorizes the President to withdraw or suspend the designation of any country as a beneficiary country for purposes of the ATPA if, after such designation, the President determines that as a result of changed circumstances such country should be barred from designation as a beneficiary country.

10. Section 3103 of the Andean Trade Promotion and Drug Eradication Act (Title XXXI of the Trade Act of 2002, Public Law 107–210) (ATPDEA) amended section 203(e)(1) of the ATPA (19 U.S.C. 3202(e)(1)) by adding a new subparagraph (B)(i) authorizing the President to withdraw or suspend the designation of any country as a beneficiary country for purposes of the ATPDEA if, after such designation, the President determines that, as a result of changed circumstances, the performance of such country is not satisfactory under the eligibility criteria set forth in section 204(b)(6)(B) of the ATPA, as amended (19 U.S.C. 3203(b)(6)(B)).

11. Section 203(e)(2)(A) of the ATPA, as amended (19 U.S.C. 3202(e)(2)(A)) requires the President to publish notice of the action he proposes to take at least 30 days before taking action under section 203(e)(1) (19 U.S.C. 3202(e)(1)).

12. On October 1, 2008, the USTR, at my direction, published a notice in the *Federal Register* (73 FR 57158) announcing that I proposed to suspend the designation of Bolivia as a beneficiary country for purposes of the ATPA and the ATPDEA based on Bolivia's failure to satisfy the eligibility criteria set forth in section 203(d)(11) and section 204(b)(6)(B)(v) of the ATPA, as amended (19 U.S.C. 3202(d)(11), 3203(b)(6)(B)(v)).

13. I have determined that Bolivia no longer satisfies the eligibility criterion in section 203(d)(11) of the ATPA, as amended. Therefore, pursuant to section 203(e)(1)(A)(i) of the ATPA, I have determined that, as a result of this changed circumstance, Bolivia's designation as an ATPA beneficiary country should be suspended.

14. I have determined that Bolivia is no longer performing satisfactorily under the eligibility criterion in section 204(b)(6)(B)(v) of the ATPA, as amended. Therefore, pursuant to section 203(e)(1)(B)(i) of the ATPA, I have determined that, as a result of this changed circumstance, Bolivia's designation as an ATPDEA beneficiary country should be suspended.

15. Presidential Proclamation 6641 of December 15, 1993, implemented the North American Free Trade Agreement (NAFTA) with respect to the United States and, pursuant to the North American Free Trade Agreement Implementation Act (Public Law 103–182) (the “NAFTA Implementation Act”), incorporated in the HTS the tariff modifications and rules of origin necessary or appropriate to carry out the NAFTA.

16. Section 202 of the NAFTA Implementation Act (19 U.S.C. 3332) provides rules for determining whether goods imported into the United States originate in the territory of a NAFTA country and thus are eligible for the tariff and other treatment contemplated under the NAFTA. Section 202(q) of the NAFTA Implementation Act (19 U.S.C. 3332(q)) authorizes the President to proclaim, as a part of the HTS, the rules of origin set out in the NAFTA, and to proclaim modifications to such previously proclaimed

rules of origin, subject to the consultation and layover requirements of section 103(a) of the NAFTA Implementation Act (19 U.S.C. 3313(a)).

17. The United States and Canada have agreed to modify certain NAFTA rules of origin and to apply the modified rules to their bilateral trade. It is therefore necessary to modify the NAFTA rules of origin set out in Proclamation 6641.

18. Section 1230 of the Tax Relief and Health Care Act of 2006 (Public Law 109–432) temporarily modified the rate of duty on triphenyl phosphine. Modifications to the HTS are necessary to provide the intended tariff treatment.

19. Presidential Proclamation 7011 of June 30, 1997, implemented the World Trade Organization Ministerial Declaration on Trade in Information Technology Products for the United States. Annex 1 to that proclamation failed to include certain products. Technical corrections and conforming changes to the HTS are necessary to provide the intended tariff treatment for those products.

20. Section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483) (the “1974 Act”), authorizes the President to embody in the HTS the substance of relevant provisions of that Act, or other acts affecting import treatment, and of actions taken thereunder.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including section 404 of the CAFTA-DR Act, as amended, section 104 of the AGOA, section 202 of the NAFTA Implementation Act, section 203 of the ATPA, as amended, section 604 of the 1974 Act, and section 301 of title 3, United States Code, do proclaim that:

(1) In order to provide the tariff treatment for eligible articles provided for in section 404 of the CAFTA-DR Act, as added by Public Law 110–436, the HTS is modified as set forth in Annex A to this proclamation.

(2) In order to reflect changes to the tariff treatment for certain apparel products under the AGOA, U.S. note 5 to subchapter XIX of chapter 98 of the HTS, subheadings 9819.15.10 through 9819.15.42, inclusive, and the superior text thereto are deleted from the HTS, effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after October 31, 2008.

(3) For purposes of section 112(c) of the AGOA, as amended, Mauritius is included as a lesser developed beneficiary sub-Saharan African country effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after October 31, 2008.

(4) The designation of Bolivia as a beneficiary country for purposes of the ATPA and ATPDEA is suspended effective on December 15, 2008. Accordingly, effective on that date, general note 11(a) to the HTS is modified by deleting “Bolivia” from the list of ATPA beneficiary countries. Further, general note 11(d) to the HTS is modified by deleting “Bolivia” from the list of ATPDEA beneficiary countries. In addition, U.S. note 1 to subchapter XXII of chapter 98 of the HTS is modified by removing “Bolivia” from the list of ATPDEA beneficiary countries.

(5) In order to modify the rules of origin under the NAFTA, general note 12 to the HTS is modified as set forth in Annex B to this proclamation.

(6) (a) The modifications to the HTS set forth in Annex A to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date set forth in Annex A.

(b) The modifications to the HTS set forth in Annex B to this proclamation shall enter into effect on the date that the USTR announces in a notice published in the *Federal Register* that Canada has completed its applicable domestic procedures to give effect to corresponding modifications to be applied to goods of the United States and shall be effective with respect to goods of Canada entered, or withdrawn from warehouse for consumption, on or after the date indicated in the notice.

(7) In order to provide the intended tariff treatment to triphenyl phosphine and to correct the error identified in paragraph 19, the HTS is modified as provided in Annex C to this proclamation.

(8) The modifications to the HTS made in Annex C to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date set out in that Annex.

(9) The USTR shall notify the Congress of this proclamation and my certification as provided in section 404(e) of the CAFTA-DR Act, as amended.

(10) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of November, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

## ANNEX A

**TO MODIFY THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES  
REGARDING CERTAIN IMPORTED APPAREL ARTICLES**

Effective with respect to goods of a party to the Dominican Republic-Central America-United States Free Trade Agreement ("DR-CAFTA") as defined in general note 29(a) to the Harmonized Tariff Schedule of the United States ("HTS") which are entered, or withdrawn from warehouse for consumption, on or after December 1, 2008, Chapter XXII of chapter 98 of the HTS is hereby modified as follows:

1. The following new U.S. note is inserted in numerical sequence in such subchapter:

"27. Earned import allowance program.

- (a) For purposes of heading 9822.06.05, eligible apparel articles wholly assembled in and imported directly from the Dominican Republic shall enter the United States free of duty, without regard to the source of the fabric or yarns from which the articles are made, if such apparel articles are accompanied by an earned import allowance certificate that reflect the amount of credits equal to the total square meter equivalents (SMEs) of fabric in such apparel articles, in accordance with the earned import allowance program established by the Secretary of Commerce. For purposes of determining the quantity of SMEs under this note, the conversion factors listed in "Correlation: U.S. Textile and Apparel Industry Category System with the Harmonized Tariff Schedule of the United States of America, 2008," or its successor publications, of the United States Department of Commerce shall apply.
- (b) For purposes of subdivision (a) of this note, the term "eligible apparel articles" means the following articles classified in chapter 62 of the tariff schedule (and meeting the requirements of the rules relating to chapter 62 of the tariff schedule contained in general note 29(n) of such schedule) of cotton (but not of denim): trousers, bib and brace overalls, breeches and shorts, skirts and divided skirts and pants."

2. The following new subheading is inserted in numerical sequence in such subchapter, with the material inserted in the columns entitled "Heading/Subheading", "Article Description", and "Rates of Duty 1 General", respectively:

"9822.06.05	: Eligible apparel articles of chapter 62 assembled in	:	:
	: the Dominican Republic and imported directly therefrom,	:	:
	: under the terms of U.S. note 27 to this subchapter.....	: Free"	:

## ANNEX B

**TO MODIFY CERTAIN RULES OF ORIGIN FOR PURPOSES OF  
THE NORTH AMERICAN FREE TRADE AGREEMENT**

Effective with respect to goods originating in the territory of Canada, under the terms of general note 12 to the Harmonized Tariff Schedule of the United States ("HTS"), that are entered, or withdrawn from warehouse for consumption, on or after the date announced by the United States Trade Representative and published in the *Federal Register*, subdivision (t) of such general note is hereby modified as follows:

1. The Note immediately above tariff classification rule ("TCR") 1 for chapter 58 is modified to read as follows:

**"Note:** The following TCRs 1 and 1A apply only to goods of Canada under the terms of this note."

2. TCR 1 is modified by striking "warp" and inserting in lieu thereof "woven-warp", and by striking "5515" and inserting in lieu thereof "5516".

3. The following new TCR is inserted immediately below TCR 1:

"1A. A change to subheading 5801.36 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54, headings 5501 through 5502, subheadings 5503.10 through 5503.20 or 5503.40 through 5503.90 or headings 5504 through 5516."

**ANNEX C**

(A) Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after July 1, 1997, subheading 9030.90.64 is modified by deleting "9030.82" and inserting in lieu thereof "9030.40 or 9030.82" and by renumbering it as 9030.90.66.

(B) Conforming changes, effective on July 1, 1997:

1. Tariff classification rule 70 for chapter 90, as set forth in general note 12(t) is modified by deleting "9030.90.64" and by inserting in lieu thereof "9030.90.66".

2. General note 25(m)(9) and (152) are each modified by deleting "9030.90.64" and by inserting in lieu thereof "9030.90.66".

3. General Note 25(m)(152) is modified by deleting "9030.82" in the description opposite 9030.90.64 and replacing it with "9030.40 or 9030.82"

(C) Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 4, 2007, heading 9902.23.23 is modified by deleting "2931.00.90" and inserting in lieu thereof "2931.00.60".

**Proc. 8324**

**Title 3—The President**

**Proclamation 8324 of November 26, 2008**

**National Drunk and Drugged Driving Prevention Month,  
2008**

*By the President of the United States of America  
A Proclamation*

During National Drunk and Drugged Driving Prevention Month, we underscore our commitment to raising awareness about the tragedies that often result from driving under the influence of drugs or alcohol.

Nearly 13,000 Americans died last year as a result of drunk driving. During the holidays, people are more likely to drive in an impaired state, and in order to better protect our citizens this holiday season, we must educate all Americans about the seriousness of this offense and its devastating consequences. Individuals across America can help prevent drunk and drugged driving by making responsible choices, identifying sober designated drivers, and educating young people about ways to avoid drunk and drugged driving. All Americans can work together to make our roads safer and help save lives by preventing others from driving under the influence of alcohol and drugs.

My Administration is committed to keeping our citizens safe from drunk and drugged drivers this holiday season. The National Highway Traffic Safety Administration (NHTSA) is raising public awareness through advertising, urging the increased use of ignition interlocks, and encouraging greater law enforcement presence. The NHTSA has extended their “Drunk Driving. Over the Limit. Under Arrest.” campaign through the holiday season, and we must continue to be vigilant in stopping impaired driving throughout the year. In addition, the Office of National Drug Control Policy is working hard to ensure that our law enforcement officers have the tools they need to detect when drivers are under the influence of drugs.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 2008 as National Drunk and Drugged Driving Prevention Month. I encourage all Americans to help keep our Nation’s roads safe by making responsible choices and taking appropriate measures to prevent drunk and drugged driving.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of November, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8325 of November 26, 2008****World AIDS Day, 2008**

*By the President of the United States of America  
A Proclamation*

As Americans, we believe in the inherent dignity and value of every man, woman, and child. On World AIDS Day, we recommit ourselves to the global challenge of combating the HIV/AIDS pandemic, and to showing our compassion for those affected here at home and around the world.

The fight against HIV/AIDS is a noble and necessary battle. As part of this fight, in 2003 my Administration launched the President's Emergency Plan for AIDS Relief (PEPFAR). Through this program, the United States has partnered with other countries, local communities, and faith-based organizations around the world to support HIV/AIDS treatment, care, and prevention activities. In July 2008, we worked with the Congress to reauthorize this important program for another 5 years.

PEPFAR is the largest international commitment in history by any nation to combat a single disease, and so far the results are promising. PEPFAR has supported care for millions of people around the world. We have also made great strides in the fight against HIV/AIDS through PEPFAR's commitment to evidence-based prevention interventions, including the ABC approach: abstinence, be faithful, and correct and consistent condom use. PEPFAR is spreading hope around the world by saving lives and showing the good heart of our Nation.

To advance our domestic battle against HIV/AIDS, we must continue to research and develop new methods of treatment and prevention. In 2006, the Congress reauthorized the Ryan White CARE Act. This legislation also focuses on life-saving and life-extending services, increased accountability for funding, and supports HIV testing to prevent the further spread of this disease.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 1, 2008, as World AIDS Day. On this day and throughout the year, the red ribbon is a symbol that helps raise awareness of the importance of fighting against HIV/AIDS. Again this year, the White House will display the red ribbon from the North Portico to represent America's commitment to this struggle. I urge the Governors of the States and the Commonwealth of Puerto Rico, officials of the other territories subject to the jurisdiction of the United States, and the American people to join me in appropriate activities to remember those who have lost their lives to AIDS and provide support and comfort to those living with this disease.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of November, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

## Proclamation 8326 of December 5, 2008

**National Pearl Harbor Remembrance Day, 2008**

*By the President of the United States of America  
A Proclamation*

On National Pearl Harbor Remembrance Day, we mourn the more than 2,400 Americans whose lives were lost in the surprise attack on our homeland that changed the course of history. Their service and sacrifice and the service and sacrifice of all our World War II veterans will be forever honored on this day by the citizens of a free and grateful Nation.

On December 7, 1941, the enemy nearly destroyed our Pacific Fleet, and the United States was forced into a long and terrible war. A generation of Americans stepped forward to fight for our country. Their message to America's enemies was clear: If you attack this country and harm our people, there is no corner of the Earth remote enough to protect you from the reach of our Nation's Armed Forces.

Following the war the United States worked to make our most bitter enemies into our closest friends through the transformative power of freedom. The joys of liberty are often secured by the sacrifices of those who serve a cause greater than self. To honor and recognize the sacrifice of our Armed Forces, I have designated nine sites as the World War II Valor in the Pacific National Monument. This monument will preserve our history and help share this heritage with future generations. On this anniversary, we honor the heroes who risked and lost their lives for our security and freedom. Their selfless dedication exemplifies the great character of America and continues to inspire our Nation.

The Congress, by Public Law 103–308, as amended, has designated December 7 of each year as “National Pearl Harbor Remembrance Day.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim December 7, 2008, as National Pearl Harbor Remembrance Day. I encourage all Americans to observe this solemn occasion with appropriate ceremonies and activities. I urge all Federal agencies and interested organizations, groups, and individuals to fly the flag of the United States at half-staff this December 7 in honor of those who died as a result of their service at Pearl Harbor.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of December, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH



Proclamation 8327 of December 5, 2008

## **Establishment of the World War II Valor In the Pacific National Monument**

*By the President of the United States of America  
A Proclamation*

Beginning at Pearl Harbor with the day of infamy that saw the sinking of the USS ARIZONA and ending on the deck of the USS MISSOURI in Tokyo Bay, many of the key battles of World War II were waged on and near American shores and throughout the Pacific. We must always remember the debt we owe to the members of the Greatest Generation for our liberty. Their gift is an enduring peace that transformed enemies into steadfast allies in the cause of democracy and freedom around the globe.

Americans will never forget the harrowing sacrifices made in the Pacific by soldiers and civilians that began at dawn on December 7, 1941, at Pearl Harbor on the island of Oahu. The surprise attack killed more than 2,000 American military personnel and dozens of civilians and thrust the United States fully into World War II.

America responded and mobilized our forces to fight side-by-side with our allies in the European, Atlantic, and Pacific theaters. The United States Navy engaged in epic sea battles, such as Midway, and our Armed Forces fought extraordinary land battles for the possession of occupied islands. These battles led to significant loss of life for both sides, as well as for the island's native peoples. Battlegrounds such as Guadalcanal, Tarawa, Saipan, Guam, Peleliu, the Philippines, Iwo Jima, and Okinawa are remembered for the heroic sacrifices and valor displayed there.

The conflict raged as far north as the Alaskan territory. The United States ultimately won the encounter in the Aleutian Island chain but not without protracted and costly battles.

There were also sacrifices on the home front. Tens of millions of Americans rallied to support the war effort, often at great personal cost. Men and women of all backgrounds were called upon as industrial workers, volunteers, and civil servants. Many Americans valiantly supported the war effort even as they struggled for their own civil rights.

In commemoration of this pivotal period in our Nation's history, the World War II Valor in the Pacific National Monument adds nine historic sites to our national heritage of monuments and memorials representing various aspects of the war in the Pacific.

Five of those sites are in the Pearl Harbor area, which is the home of both the USS ARIZONA and the USS MISSOURI—milestones of the Pacific campaign that mark the beginning and the end of the war. The sites in this area include: the USS ARIZONA Memorial and Visitor Center, the USS UTAH Memorial, the USS OKLAHOMA Memorial, the six Chief Petty Officer Bungalows on Ford Island, and mooring quays F6, F7, and F8, which constituted part of Battleship Row. The USS ARIZONA and USS UTAH vessels will not be designated as part of the national monument, but instead will be retained by the Department of Defense (through the Department of the Navy) as the final resting place for those entombed there.

Three sites are located in Alaska's Aleutian Islands. The first is the crash site of a Consolidated B-24D Liberator bomber—an aircraft of a type that played a highly significant role in World War II—located on Atka Island. The second is the site of Imperial Japan's occupation of Kiska Island, beginning in June 1942, which marks the northern limit of Imperial Japan's expansion in the Pacific. The Kiska site includes historic relics such as Imperial Japanese coastal and antiaircraft defenses, camps, roads, an airfield, a submarine base, a seaplane base, and other installations, as well as the remains of Allied defenses, including runway facilities and gun batteries.

The third Aleutian designation is on Attu Island, the site of the only land battle fought in North America during World War II. It still retains the scars of the battle: thousands of shell and bomb craters in the tundra; Japanese trenches, foxholes, and gun encampments; American ammunition magazines and dumps; and spent cartridges, shrapnel, and shells located at the scenes of heavy fighting. Attu later served as a base for bombing missions against Japanese holdings.

The last of the nine designations will bring increased understanding of the high price paid by some Americans on the home front. The Tule Lake Segregation Center National Historic Landmark and nearby Camp Tule Lake in California were both used to house Japanese-Americans relocated from the west coast of the United States. They encompass the original segregation center's stockade, the War Relocation Authority Motor Pool, the Post Engineer's Yard and Motor Pool, a small part of the Military Police Compound, several historic structures used by internees and prisoners of war at Camp Tule Lake, and the sprawling landscape that forms the historic setting.

WHEREAS much of the Federal property within the World War II Valor in the Pacific National Monument is easily accessible to visitors from around the world;

WHEREAS the Secretary of the Interior should be authorized and directed to interpret the broader story of World War II in the Pacific in partnership with the Department of Defense, the States of Hawaii, Alaska, and California, and other governmental and non-profit organizations;

WHEREAS the World War II Valor in the Pacific National Monument will promote understanding of related resources, encourage continuing research, present interpretive opportunities and programs for visitors to better understand and honor the sacrifices borne by the Greatest Generation, and tell the story from Pearl Harbor to Peace;

WHEREAS section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the "Antiquities Act") authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS it is in the public interest to preserve the areas described above and on the attached maps as the World War II Valor in the Pacific National Monument;

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by the authority vested in me by section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431), do proclaim that there are hereby set apart and reserved as the World War II Valor in the Pacific National Monument for the purpose of protecting the objects described above, all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described on the accompanying maps, which are attached and form a part of this proclamation. The Federal lands and interests in land reserved consist of approximately 6,310 acres, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws, including, but not limited to, withdrawal from location, entry, and patent under mining laws, and from disposition under all laws relating to mineral and geothermal leasing.

#### **Management of the National Monument**

The Secretary of the Interior shall manage the monument through the National Park Service and the U.S. Fish and Wildlife Service, pursuant to applicable legal authorities, to implement the purposes of this proclamation. The National Park Service shall generally administer the national monument, except that the U.S. Fish and Wildlife Service shall administer the portions of the national monument that are within a national wildlife refuge. The National Park Service and the U.S. Fish and Wildlife Service may prepare an agreement to share, consistent with applicable laws, whatever resources are necessary to properly manage the monument.

For the purposes of preserving, interpreting, and enhancing public understanding and appreciation of the national monument and the broader story of World War II in the Pacific, the Secretary of the Interior, in consultation with the Secretary of Defense, shall prepare a management plan within 3 years of the date of this proclamation.

The Secretary of the Interior shall have management responsibility for the monument sites and facilities in Hawaii within the boundaries designated on the accompanying maps to the extent necessary to implement this proclamation, including the responsibility to maintain and repair the Chief Petty Officer Bungalows and other monument facilities. The Department of Defense may retain the authority to control access to those sites. The Department of the Interior through the National Park Service and the Department of the Navy may execute an agreement to provide for the operational needs and responsibilities of each Department in implementing this proclamation.

#### **Armed Forces Actions**

1. The prohibitions required by this proclamation shall not restrict activities and exercises of the Armed Forces (including those carried out by the United States Coast Guard).
2. All activities and exercises of the Armed Forces shall be carried out in a manner that avoids, to the extent practicable and consistent with operational requirements, adverse impacts on monument resources and qualities.

3. In the event of threatened or actual destruction of, loss of, or injury to a monument resource or quality resulting from an incident, including but not limited to spills and groundings, caused by a component of the Department of Defense or any other Federal agency, the cognizant component shall promptly coordinate with the Secretary of the Interior for the purpose of taking appropriate actions to respond to and mitigate the harm and, if possible, restore or replace the monument resource or quality.

4. Nothing in this proclamation or any regulation implementing it shall limit or otherwise affect the Armed Forces' discretion to use, maintain, improve, or manage any real property under the administrative control of a Military Department or otherwise limit the availability of such real property for military mission purposes.

The establishment of this monument is subject to valid existing rights.

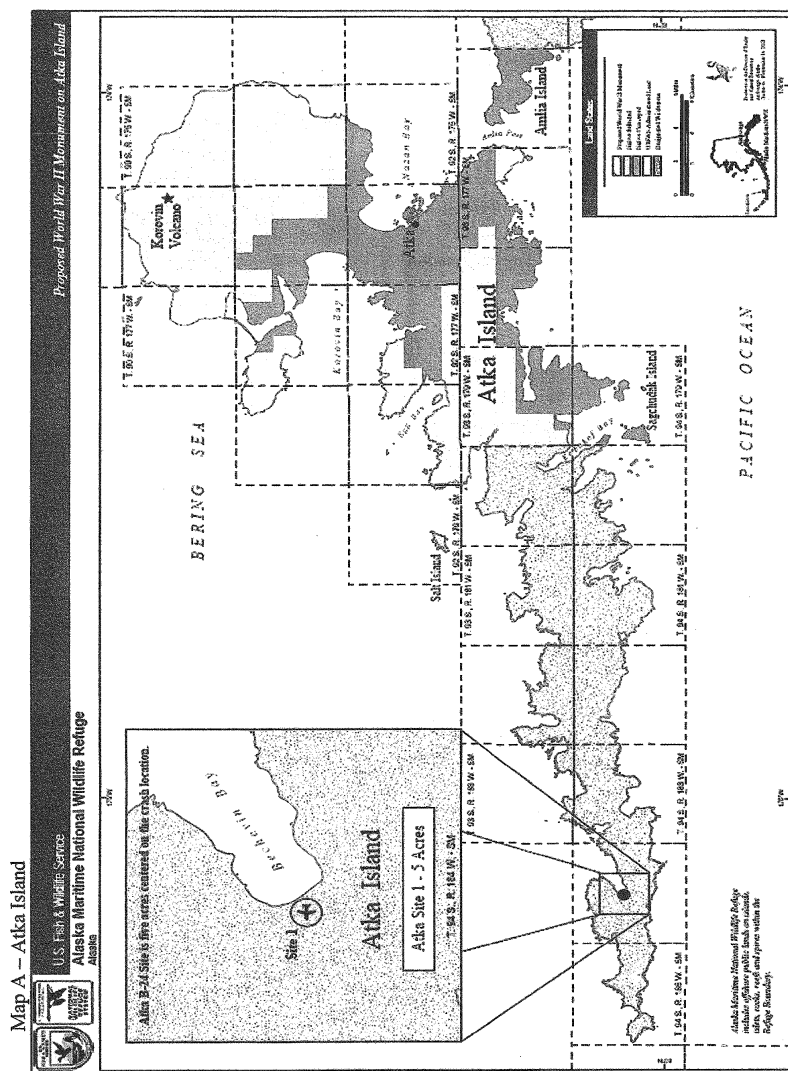
Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the national monument shall be the dominant reservation.

Nothing in this proclamation shall alter the authority of any Federal agency to take action in the monument area where otherwise authorized under applicable legal authorities, except as provided by this proclamation.

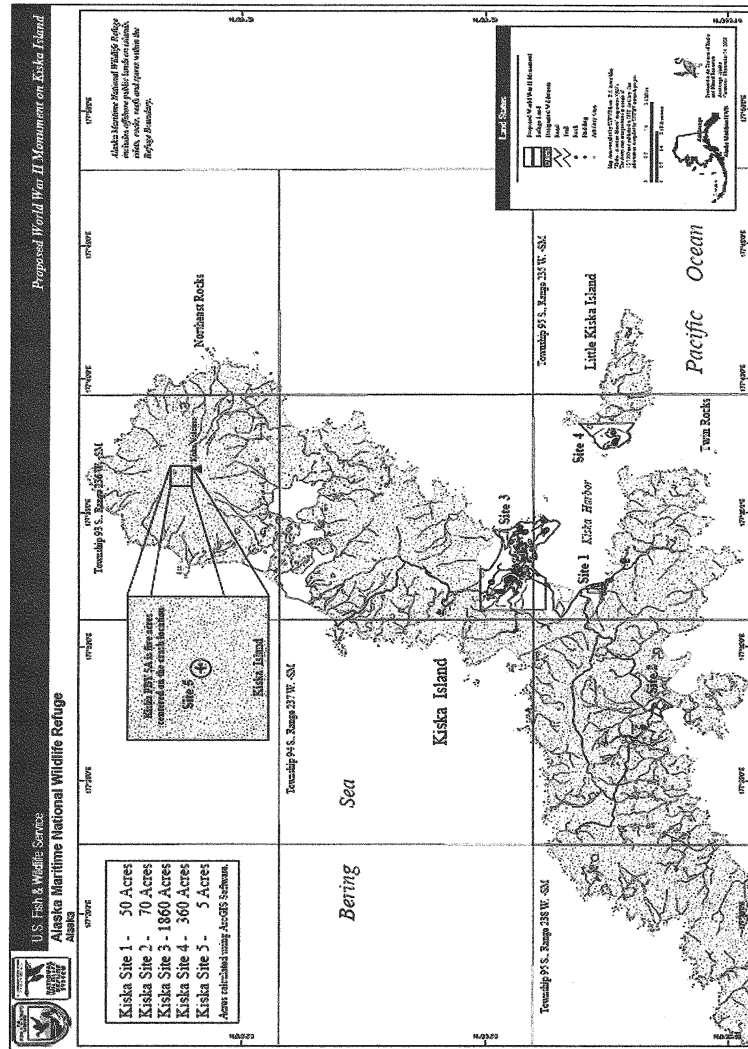
Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of December, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

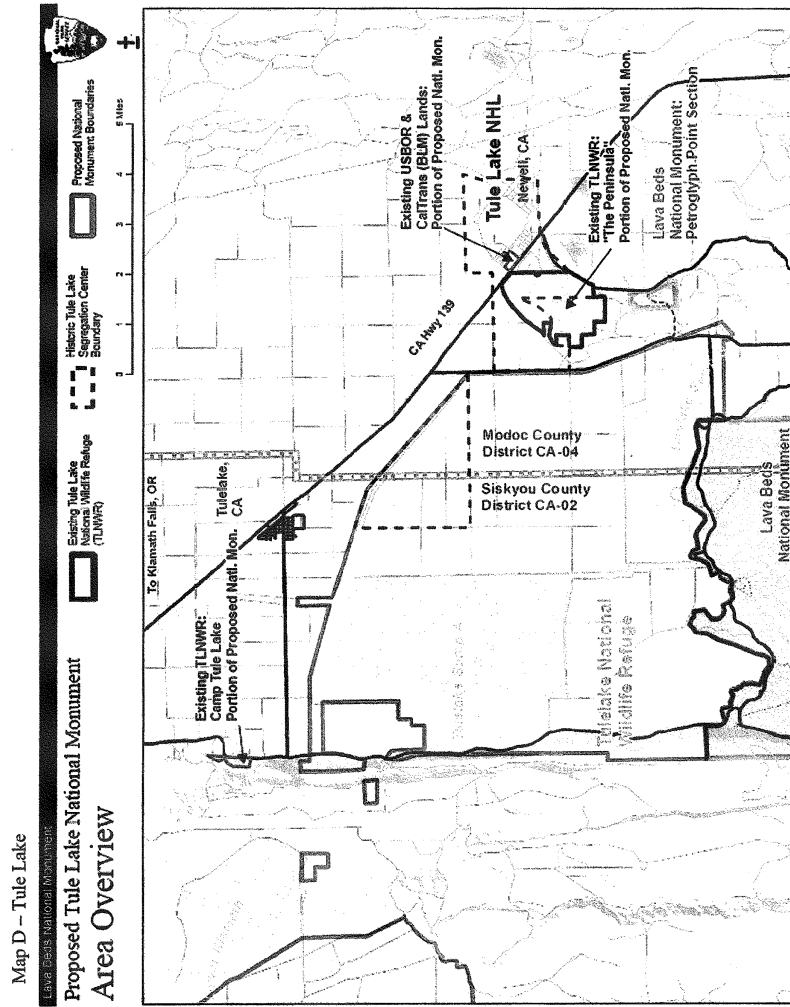
GEORGE W. BUSH



Map B – Kiska Island

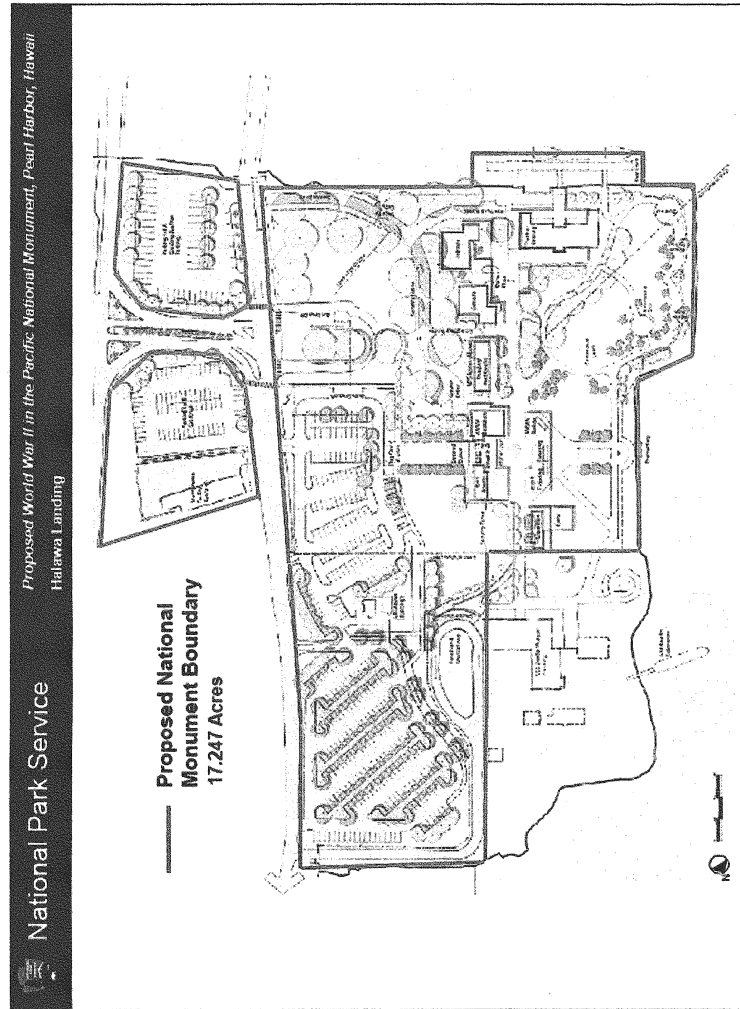




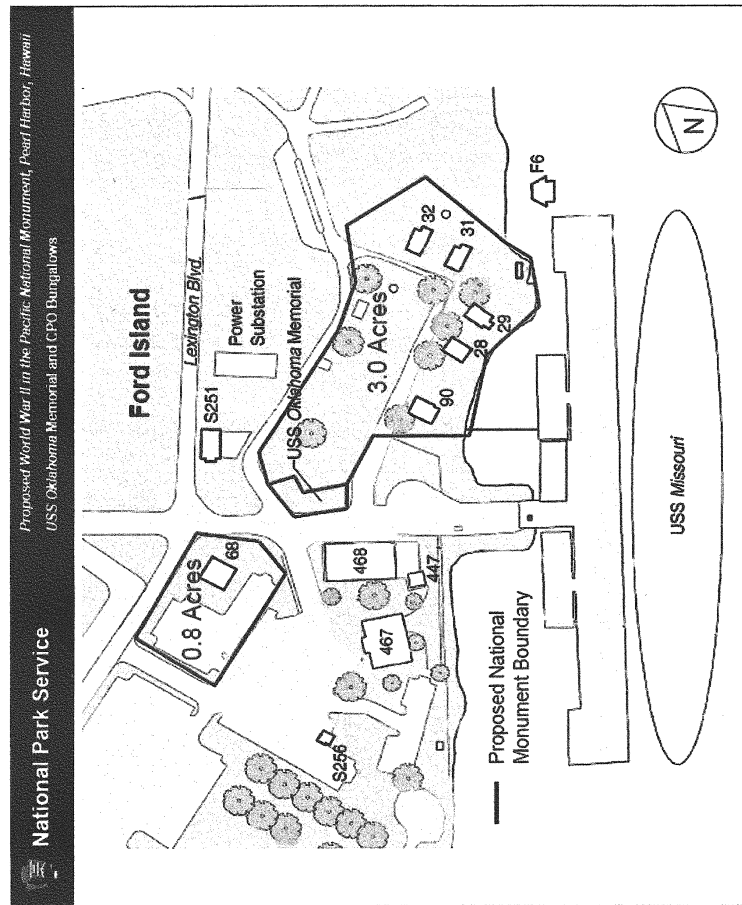


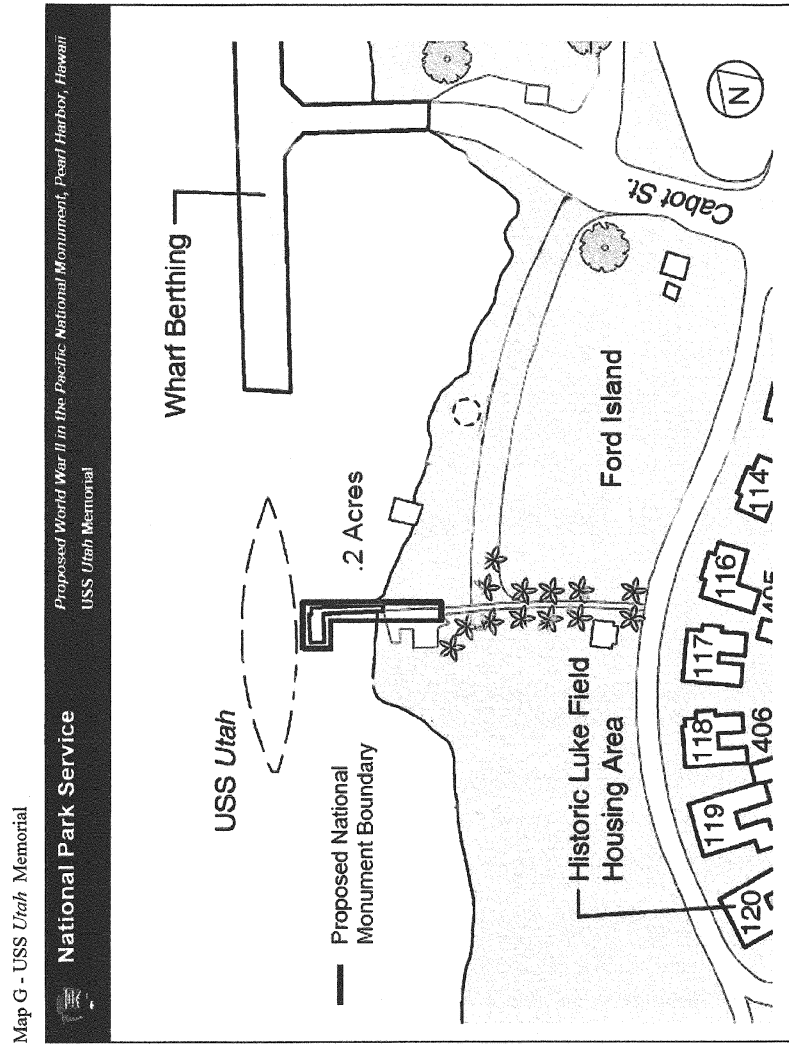


Map E - Halawa Landing and Pearl Harbor Visitor Center

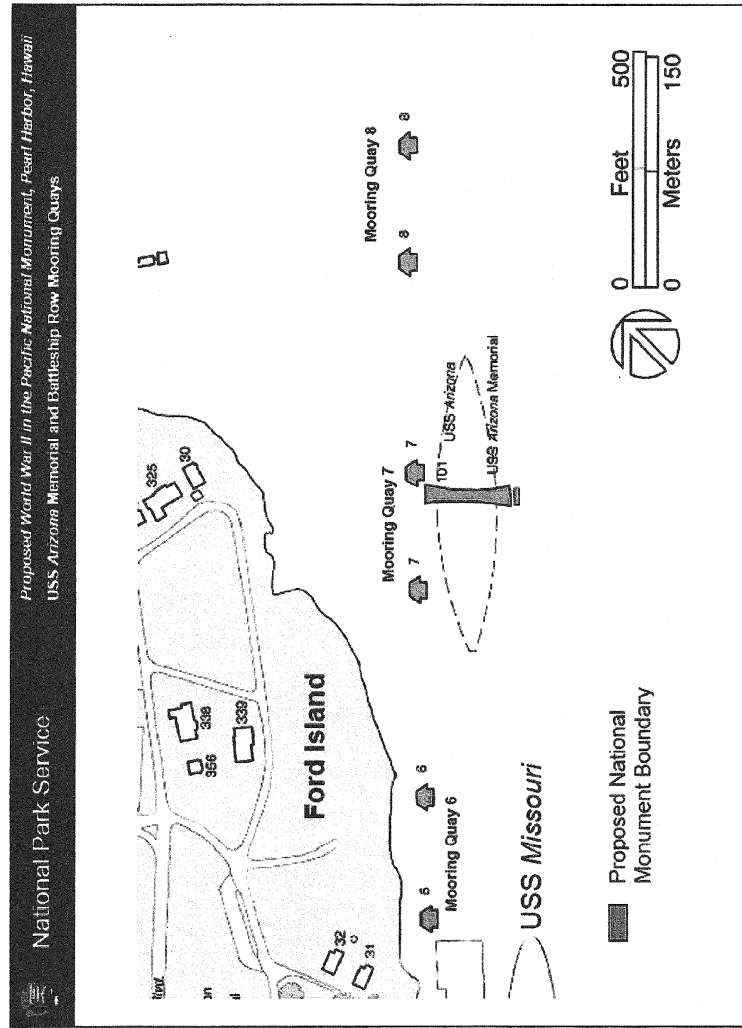


Map F - Bungalow and USS *Oklahoma* Memorial





Map H—USS *Arizona* Memorial and Mooring Quays



**Proclamation 8328 of December 8, 2008**

**Human Rights Day, Bill of Rights Day, and Human Rights Week, 2008**

*By the President of the United States of America  
A Proclamation*

The United States was founded on the principle that government must respect people's rights to speak freely, worship as they choose, and pursue their dreams in liberty. As we remember the enduring importance of our Constitution's Bill of Rights, our thoughts turn to those who have yet to secure these precious liberties. During Human Rights Day, Bill of Rights Day, and Human Rights Week, Americans celebrate the rights bestowed upon all by our Creator and reaffirm our deep commitment to helping those whose desire for liberty and justice is still dismissed and denied.

In a free society, every person is treated with dignity and can rise as high as their talents and hard work will take them. Yet in countries like Belarus, Burma, Cuba, Iran, North Korea, Sudan, Syria, and Zimbabwe, fervent pleas for freedom are silenced by tyranny and oppression. So long as there are people who fight for liberty, the United States will stand with them and speak out for those who have no other voice.

Freedom is the eternal birthright of all mankind, and during Human Rights Day, Bill of Rights Day, and Human Rights Week, we renew our commitment to lead the cause of human rights and pray for the day when the light of liberty will shine on all of humanity.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 10, 2008, as Human Rights Day; December 15, 2008, as Bill of Rights Day; and the week beginning December 10, 2008, as Human Rights Week. I call upon the people of the United States to mark these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of December, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8329 of December 16, 2008**

**Wright Brothers Day, 2008**

*By the President of the United States of America  
A Proclamation*

Our history is rich with pioneers and innovators who used their God-given talents to improve our Nation and the world. On Wright Brothers Day, we commemorate two brothers, Orville and Wilbur Wright, who took great risks and ushered in a new era of travel and discovery.

With intrepid spirits and a passion for innovation, Orville and Wilbur Wright became the first to experience the thrill of manned, powered flight. On December 17, 1903, Orville Wright flew for 12 seconds over the North Carolina sand dunes in the presence of only five people. In the span of one lifetime, our Nation has seen aviation progress from the first tentative take-off at Kitty Hawk to an age of supersonic flight and space exploration.

On this Wright Brothers Day, we recognize all those who have taken great risks and contributed to our country's legacy of exploration and discovery. This year, we also celebrate the centennial of the world's first passenger flight. By remaining dedicated to extending the frontiers of knowledge, we can ensure that the United States will continue to lead the world in science, innovation, and technology, and build a better future for generations to come.

The Congress, by a joint resolution approved December 17, 1963, as amended (77 Stat. 402; 36 U.S.C. 143), has designated December 17 of each year as "Wright Brothers Day" and has authorized and requested the President to issue annually a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim December 17, 2008, as Wright Brothers Day.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of December, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

#### Proclamation 8330 of December 19, 2008

### To Take Certain Actions Under the African Growth and Opportunity Act and the Generalized System of Preferences

*By the President of the United States of America*  
*A Proclamation*

1. Section 506A(a)(1) of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C. 2466a(a)(1)), as added by section 111(a) of the African Growth and Opportunity Act (title I of Public Law 106–200) (AGOA), authorizes the President to designate a country listed in section 107 of the AGOA (19 U.S.C. 3706) as a beneficiary sub-Saharan African country if the President determines that the country meets the eligibility requirements set forth in section 104 of the AGOA (19 U.S.C. 3703) and the eligibility criteria set forth in section 502 of the 1974 Act (19 U.S.C. 2462).

2. Section 104 of the AGOA authorizes the President to designate a country listed in section 107 of the AGOA as an eligible sub-Saharan African country if the President determines that the country meets certain eligibility requirements.

3. Section 112(c) of the AGOA (19 U.S.C. 3721(c)), as added by section 6002(a) of the Africa Investment Incentive Act of 2006 (division D, title VI

of Public Law 109–432), provides special rules for certain apparel articles imported from lesser developed beneficiary sub-Saharan African countries.

4. In Proclamation 8157 of June 28, 2007, I designated the Islamic Republic of Mauritania (Mauritania) as an eligible sub-Saharan African country and a beneficiary sub-Saharan African country pursuant to section 104 of the AGOA and section 506A(a)(1) of the 1974 Act and provided that it would be considered a lesser developed beneficiary sub-Saharan African country for purposes of section 112(c) of the AGOA.

5. Section 506A(a)(3) of the 1974 Act (19 U.S.C. 2466a(a)(3)) authorizes the President to terminate the designation of a country as a beneficiary sub-Saharan African country for purposes of section 506A if he determines that the country is not making continual progress in meeting the requirements described in section 506A(a)(1) of the 1974 Act.

6. Pursuant to section 506A(a)(3) of the 1974 Act, I have determined that Mauritania is not making continual progress in meeting the requirements described in section 506A(a)(1) of the 1974 Act. Accordingly, I have decided to terminate the designation of Mauritania as a beneficiary sub-Saharan African country for purposes of section 506A of the 1974 Act, effective on January 1, 2009.

7. Pursuant to sections 501 and 502(a) of the 1974 Act (19 U.S.C. 2461, 2462(a)), the President is authorized to designate countries as beneficiary developing countries for purposes of the Generalized System of Preferences (GSP) program.

8. Pursuant to section 502(a)(1) of the 1974 Act, and having considered the factors set forth in sections 501 and 502(c) (19 U.S.C. 2462(c)), I have determined that the Republic of Kosovo (Kosovo) should be designated as a beneficiary developing country for purposes of the GSP program.

9. Pursuant to section 502 of the 1974 Act, and having considered the factors set forth in sections 501 and 502(c), I have determined that the Republic of Azerbaijan (Azerbaijan) should be designated as a beneficiary developing country for purposes of the GSP program.

10. Section 604 of the 1974 Act (19 U.S.C. 2483), as amended, authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTS) the substance of relevant provisions of that Act, or other acts affecting import treatment, and of actions taken thereunder.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to section 104 of the AGOA (19 U.S.C. 3703), and title V and section 604 of the 1974 Act (19 U.S.C. 2461–67, 2483), do proclaim that:

(1) The designation of Mauritania as a beneficiary sub-Saharan African country for purposes of section 506A of the 1974 Act is terminated, effective on January 1, 2009.

(2) In order to reflect in the HTS that beginning on January 1, 2009, Mauritania shall no longer be designated as a beneficiary sub-Saharan African country, general note 16(a) to the HTS is modified by deleting “Islamic Republic of Mauritania” from the list of beneficiary sub-Saharan African countries.

(3) Kosovo is designated as a beneficiary developing country for purposes of the GSP program.

(4) In order to reflect this designation in the HTS, general note 4(a) to the HTS is modified by adding in alphabetical order “Kosovo,” effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after February 1, 2009.

(5) Azerbaijan is designated as a beneficiary developing country for purposes of the GSP program.

(6) In order to reflect this designation in the HTS, general note 4(a) to the HTS is modified by adding in alphabetical order “Azerbaijan,” effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after February 1, 2009.

(7) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of December, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8331 of December 23, 2008**

**To Implement the Dominican Republic-Central America-United States Free Trade Agreement With Respect to Costa Rica and for Other Purposes**

*By the President of the United States of America  
A Proclamation*

1. On August 5, 2004, the United States entered into the Dominican Republic-Central America-United States Free Trade Agreement (the “Agreement”) with Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua (the “Agreement countries”). The Agreement was approved by the Congress in section 101(a) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (the “Act”) (19 U.S.C. 4011).

2. The Parties to the Agreement entered into an amendment of the Agreement on July 27, August 6, and August 14, 2007 (the “Amendment”). The Amendment provides for temporary duty-free treatment for certain goods of Costa Rica. The terms of the Amendment with respect to Costa Rica are contained in letters of understanding described in section 1634(b)(2) of the Pension Protection Act of 2006 (Public Law 109–280, 120 Stat. 780).

3. Section 201(a)(1) of the Act (19 U.S.C. 4031(a)(1)) authorizes the President to proclaim such modifications or continuation of any duty, such continuation of duty free or excise treatment, or such additional duties, as the President determines to be necessary or appropriate to carry out or apply Articles 3.3 and 3.27, and Annexes 3.3 (including the schedule of United



States duty reductions with respect to originating goods) and 3.27 of the Agreement.

4. Consistent with section 201(a)(2) of the Act (19 U.S.C. 4031(a)(2)), each Agreement country is to be removed from the enumeration of designated beneficiary developing countries eligible for the benefits of the Generalized System of Preferences (GSP) on the date the Agreement enters into force with respect to that country.

5. Consistent with section 201(a)(3) of the Act (19 U.S.C. 4031(a)(3)), each Agreement country is to be removed from the enumeration of designated beneficiary countries under the Caribbean Basin Economic Recovery Act (CBERA) (19 U.S.C. 2701 *et seq.*) on the date the Agreement enters into force with respect to that country, subject to the exceptions set out in section 201(a)(3)(B) of the Act (19 U.S.C. 4031(a)(3)(B)).

6. Consistent with section 213(b)(5)(D) of the CBERA (19 U.S.C. 2703(b)(5)(D)), as amended by the United States-Caribbean Basin Trade Partnership Act (CBTPA) (Public Law 106–200), each Agreement country is to be removed from the enumeration of designated CBTPA beneficiary countries on the date the Agreement enters into force with respect to that country.

7. Section 201(b) of the Act (19 U.S.C. 4031(b)) authorizes the President, subject to the consultation and layover requirements of section 104(a) of the Act (19 U.S.C. 4014(a)), to proclaim such modifications or continuation of any duty, such modifications as the United States may agree to with an Agreement country regarding the staging of any duty treatment set forth in Annex 3.3 of the Agreement, such continuation of duty-free or excise treatment, or such additional duties, as the President determines to be necessary or appropriate to maintain the general level of reciprocal and mutually advantageous concessions provided for by the Agreement. The consultation and layover requirements of section 104(a) of the Act have been satisfied with respect to providing temporary duty free treatment for certain goods of Costa Rica as set forth in the Amendment.

8. Pursuant to section 201(b) of the Act, I have determined that the modifications herein proclaimed of duties on goods of Costa Rica are necessary or appropriate to maintain the general level of reciprocal and mutually advantageous concessions with respect to Costa Rica provided for by the Agreement.

9. In Proclamation 8095 of December 29, 2006, consistent with the authority set out in section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)), I modified the Harmonized Tariff Schedule of the United States (HTS) to implement the multilateral agreement negotiated under the auspices of the World Trade Organization to eliminate tariffs on certain pharmaceutical products and chemical intermediates. I have determined that technical corrections to the pharmaceuticals annex to the HTS are necessary to ensure that certain products receive the intended duty treatment.

10. Section 604 of the Trade Act of 1974 (the “1974 Act”) (19 U.S.C. 2483), as amended, authorizes the President to embody in the HTS the substance of relevant provisions of that Act, and of other Acts affecting import treatment, and of actions taken thereunder.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution

and the laws of the United States of America, including but not limited to section 201 of the Act and section 604 of the 1974 Act, and the Act having taken effect pursuant to section 107, do proclaim that:

(1) In order to provide generally for the preferential tariff treatment being accorded to Costa Rica under the Agreement, as amended, to provide certain other treatment to originating goods for the purposes of the Agreement, to provide tariff-rate quotas with respect to certain goods, to reflect the removal of Costa Rica from the enumeration of designated beneficiary developing countries for purposes of the GSP, to reflect the removal of Costa Rica from the enumeration of designated beneficiary countries for purposes of the CBERA and the CBTPA, and to make technical and conforming changes in the general notes to the HTS, the HTS is modified as set forth in Annexes I and II of Publication 4038 of the United States International Trade Commission, entitled *Modifications to the Harmonized Tariff Schedule of the United States to Implement the Dominican Republic-Central America-United States Free Trade Agreement With Respect to Costa Rica* (Publication 4038), which is incorporated by reference into this proclamation.

(2) In order to make technical corrections necessary to provide the intended duty treatment to certain pharmaceutical products and chemical intermediaries, the HTS is modified as set forth in Annex III of Publication 4038.

(3) The amendments to the HTS made by paragraphs (1) and (2) of this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the relevant dates indicated in Annex I, II, or III of Publication 4038.

(4) Except as provided in paragraph (3) of this proclamation, this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2009.

(5) Any provisions of previous proclamations and executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of December, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8332 of December 29, 2008**

**To Implement the United States-Oman Free Trade Agreement**

*By the President of the United States of America  
A Proclamation*

1. On January 19, 2006, the United States entered into the United States-Oman Free Trade Agreement (the “Agreement”). The Congress approved

the Agreement in section 101(a) of the United States-Oman Free Trade Agreement Implementation Act (the “Implementation Act”) (Public Law 109–283, 120 Stat. 1191) (19 U.S.C. 3805 note).

2. Section 105(a) of the Implementation Act authorizes the President to establish or designate within the Department of Commerce an office that shall be responsible for providing administrative assistance to panels established under chapter 20 of the Agreement.

3. Section 201 of the Implementation Act authorizes the President to proclaim such modifications or continuation of any duty, such continuation of duty-free or excise treatment, or such additional duties, as the President determines to be necessary or appropriate to carry out or apply Articles 2.3, 2.5, 2.6, 3.2.8, and 3.2.9, and the schedule of duty reductions with respect to Oman set forth in Annex 2–B of the Agreement.

4. Consistent with section 201(a)(2) of the Implementation Act, Oman is to be removed from the enumeration of designated beneficiary developing countries eligible for the benefits of the Generalized System of Preferences (GSP) on the date the Agreement entered into force. Further, consistent with section 604 of the Trade Act of 1974, as amended (the “1974 Act”) (19 U.S.C. 2483), I have determined that other technical and conforming changes to the Harmonized Tariff Schedule of the United States (HTS) are necessary to reflect that Oman is no longer eligible to receive the benefits of the GSP.

5. Section 202 of the Implementation Act sets forth certain rules for determining whether a good is an originating good for the purpose of implementing preferential tariff treatment provided for under the Agreement. I have decided that it is necessary to include these rules of origin, together with particular rules applicable to certain other goods, in the HTS.

6. Section 204 of the Implementation Act authorizes the President to take certain enforcement actions relating to trade with Oman in textile and apparel goods.

7. Subtitle B of title III of the Implementation Act authorizes the President to take certain actions in response to a request by an interested party for relief from serious damage or actual threat thereof to a domestic industry producing certain textile or apparel articles.

8. Executive Order 11651 of March 3, 1972, as amended, established the Committee for the Implementation of Textile Agreements (CITA), consisting of representatives of the Departments of State, the Treasury, Commerce and Labor, and the Office of the United States Trade Representative, with the representative of the Department of Commerce as Chairman, to supervise the implementation of textile trade agreements. Consistent with section 301 of title 3, United States Code, when carrying out functions vested in the President by statute and assigned by the President to CITA, the officials collectively exercising those functions are all to be officers required to be appointed by the President with the advice and consent of the Senate.

9. Section 604 of the 1974 Act, as amended, authorizes the President to embody in the HTS the substance of relevant provisions of that Act, or other Acts affecting import treatment, and of actions taken thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 604 of the 1974 Act; sections 105(a), 201, 202, and 204, and subtitle B of title III, of the Implementation Act; and section 301 of title 3, United States Code, and having made the determination under section 101(b) of the Implementation Act necessary for the exchange of notes, do hereby proclaim:

(1) In order to provide generally for the preferential tariff treatment being accorded under the Agreement, to set forth rules for determining whether goods imported into the customs territory of the United States are eligible for preferential tariff treatment under the Agreement, to provide certain other treatment to originating goods of Oman for the purposes of the Agreement, to provide tariff-rate quotas with respect to certain originating goods of Oman, to reflect Oman's removal from the enumeration of designated beneficiary developing countries for purposes of the GSP, and to make technical and conforming changes in the general notes to the HTS, the HTS is modified as set forth in Annex I of Publication 4050 of the United States International Trade Commission, entitled, *Modifications to the Harmonized Tariff Schedule of the United States Implementing the United States-Oman Free Trade Agreement* (Publication 4050), which is incorporated by reference into this proclamation.

(2) In order to implement the initial stage of duty elimination provided for in the Agreement and to provide for future staged reductions in duties for originating goods of Oman for purposes of the Agreement, the HTS is modified as provided in Annex II of Publication 4050, effective on the dates specified in the relevant sections of such publication and on any subsequent dates set forth for such duty reductions in that publication.

(3) The amendments to the HTS made by paragraphs (1) and (2) of this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the relevant dates indicated in Annex II of Publication 4050.

(4) The Secretary of Commerce is authorized to exercise my authority under section 105(a) of the Implementation Act to establish or designate an office within the Department of Commerce to carry out the functions set forth in that section.

(5) The CITA is authorized to exercise my authority under section 204 of the Implementation Act to exclude textile and apparel goods from the customs territory of the United States; to determine whether an enterprise's production of, and capability to produce, goods are consistent with statements by the enterprise; to find that an enterprise has knowingly or willfully engaged in circumvention; and to deny preferential tariff treatment to textile and apparel goods.

(6) The CITA is authorized to exercise the functions of the President under subtitle B of title III of the Implementation Act to review requests, and to determine whether to commence consideration of such requests; to cause to be published in the *Federal Register* a notice of commencement of consideration of a request and notice seeking public comment thereon; to determine whether imports of an Omani textile or apparel article are causing serious damage, or actual threat thereof, to a domestic industry producing an article that is like, or directly competitive with, the imported article;

and to provide relief from imports of an article that is the subject of such a determination.

(7) All provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of December, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8333 of December 30, 2008**

**National Mentoring Month, 2009**

*By the President of the United States of America  
A Proclamation*

During National Mentoring Month, we recognize the millions of individuals who dedicate themselves to making a difference in the lives of others, and we underscore our commitment to supporting these soldiers in America's armies of compassion.

Every day across our great Nation, men and women of many different backgrounds work to inspire our next generation of leaders. By sharing their time and experiences, mentors help instill important values that encourage America's youth to set high goals and achieve their dreams. Mentors demonstrate that the strength of our Nation lies in the hearts and souls of our citizens and that a positive influence in someone's life helps them secure a more hopeful future.

My Administration has been committed to building a culture of service, citizenship, and responsibility. Through the Mentoring Children of Prisoners program, volunteers help provide consistent guidance and support so that these children can lead lives of opportunity and achievement. The USA Freedom Corps is strengthening mentoring opportunities in America and spreading a message of hope across our Nation. The Helping America's Youth initiative, led by First Lady Laura Bush, motivates caring adults to connect with youth to help them to grow up to be responsible and successful adults. By working together, we can enrich the lives of our next generation and continue a legacy of kindness and encouragement.

I appreciate our Nation's mentors and all those who contribute to their community by helping to change a child's life. For more information on volunteering to be a mentor, visit [volunteer.gov](http://volunteer.gov). During National Mentoring Month, we honor the many Americans who have touched the lives of others with their compassion, and we reflect on their efforts toward building a stronger and brighter future for all.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim January 2009 as National

Mentoring Month. I call upon the people of the United States to recognize the importance of mentoring, to look for opportunities to serve as mentors in their communities, and to observe this month with appropriate activities and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of December, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH

**Proclamation 8334 of December 31, 2008**

**To Extend Duty-Free Treatment for Certain Agricultural Products of Israel and for Other Purposes**

*By the President of the United States of America*  
*A Proclamation*

1. On April 22, 1985, the United States and Israel entered into the Agreement on the Establishment of a Free Trade Area between the Government of the United States of America and the Government of Israel (USIFTA), which the Congress approved in the United States-Israel Free Trade Area Implementation Act of 1985 (the “USIFTA Act”) (19 U.S.C. 2112 note).

2. In order to maintain the general level of reciprocal and mutually advantageous concessions with respect to agricultural trade with Israel, on July 27, 2004, the United States entered into an agreement with Israel concerning certain aspects of trade in agricultural products during the period January 1, 2004, through December 31, 2008 (the “2004 Agreement”). The 2004 Agreement reflects an effort by the United States and Israel to address, through 2008, their continuing differences over the meaning of certain provisions in the USIFTA governing access for U.S. agricultural products to Israel’s market.

3. Section 4(b) of the USIFTA Act provides that, whenever the President determines that it is necessary to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the USIFTA, the President may proclaim such withdrawal, suspension, modification, or continuance of any duty, or such continuance of existing duty-free or excise treatment, or such additional duties as the President determines to be required or appropriate to carry out the USIFTA.

4. In Proclamation 7826 of October 4, 2004, consistent with the 2004 Agreement, I proclaimed modifications to the Harmonized Tariff Schedule of the United States (HTS) to provide duty-free access into the United States through December 31, 2008, for specified quantities of certain agricultural products of Israel.

5. On December 10, 2008, the United States entered into an agreement with Israel to extend the period that the 2004 Agreement is in force through December 31, 2009, to allow additional time for the two governments to conclude an agreement to replace the 2004 Agreement.

6. Pursuant to section 4(b) of the USIFTA Act, I have determined that it is necessary, in order to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the USIFTA, to provide duty-free access into the United States through the close of December 31, 2009, for specified quantities of certain agricultural products of Israel.

7. On June 6, 2003, the United States and Chile entered into the United States-Chile Free Trade Agreement (USCFTA). The Congress approved the USCFTA in section 101(a) of the United States-Chile Free Trade Agreement Implementation Act (the “USCFTA Act”) (19 U.S.C. 3805 note). In Proclamation 7746 of December 30, 2003, I proclaimed the tariff treatment called for under the USCFTA.

8. Section 201(b) of the USCFTA Act authorizes the President, subject to the consultation and layover requirements of section 103(a) of the USCFTA Act, to proclaim such modifications to the staging of duty treatment set forth in Annex 3.3 of the USCFTA as the United States may agree to with Chile, as the President determines to be necessary or appropriate to maintain the general level of reciprocal and mutually advantageous concessions with respect to Chile provided for by the USCFTA.

9. On November 26, 2008, the United States entered into an agreement with Chile that includes an accelerated schedule of duty elimination under the USCFTA for specific originating goods of Chile. The consultation and layover requirements of section 103(a) of the USCFTA Act with respect to the accelerated schedule of duty elimination were satisfied as of November 8, 2008.

10. Pursuant to section 201(b) of the USCFTA Act, I have determined that modifications hereinafter proclaimed of rates of duties on originating goods of Chile are necessary or appropriate to maintain the general level of reciprocal and mutually advantageous concessions with respect to Chile provided for by the USCFTA and to carry out the agreement with Chile on an accelerated schedule of duty elimination for specific originating goods of Chile.

11. On May 18, 2004, the United States and Australia entered into the United States-Australia Free Trade Agreement (USAFTA). The Congress approved the USAFTA in section 101(a) of the United States-Australia Free Trade Agreement Implementation Act (the “USAFTA Act”) (19 U.S.C. 3805 note). In Proclamation 7857 of December 20, 2004, I proclaimed the rules of origin called for under the USAFTA.

12. Section 203(o) of the USAFTA Act authorizes the President, subject to the consultation and layover requirements of section 104 of the USAFTA Act, to proclaim such modifications to the rules of origin as are necessary to implement an agreement with Australia pursuant to article 4.2.5 of the USAFTA.

13. On October 10, 2008, the United States entered into an agreement with Australia pursuant to article 4.2.5 of the USAFTA to amend the USAFTA rule of origin for certain yarns of viscose rayon fiber. The consultation and layover requirements of section 104 of the USAFTA Act with respect to the proposed modification of the USAFTA rules of origin were satisfied as of December 24, 2008.

14. Section 604 of the Trade Act of 1974, as amended (the “1974 Act”) (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of relevant provisions of that Act, or other acts affecting import treatment, and of actions taken thereunder.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including section 4 of the USIFTA Act, section 201(b) of the USCFTA Act, section 203(o) of the USAFTA Act, section 604 of the 1974 Act, and section 301 of title 3, United States Code, do proclaim that:

(1) In order to implement U.S. tariff commitments under the 2004 Agreement through December 31, 2009, the HTS is modified as provided in Annex I to this proclamation.

(2)(a) The modifications to the HTS made by Annex I to this proclamation shall be effective with respect to goods that are the product of Israel and are entered, or withdrawn from warehouse for consumption, on or after January 1, 2009.

(b) The provisions of subchapter VIII of chapter 99 of the HTS, as modified by Annex I to this proclamation, shall continue in effect through December 31, 2009.

(3) In order to provide for an accelerated schedule of duty elimination for specific originating goods of Chile, the tariff treatment set forth in the HTS is modified as provided in Annex II to this proclamation.

(4) The modifications made to the HTS by Annex II to this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2009.

(5) In order to implement the agreement with Australia to change the USAFTA rules of origin for certain yarns of viscose rayon fiber, the HTS is modified as provided in Annex III to this proclamation.

(6) The modifications made to the HTS by Annex III to this proclamation shall enter into effect on the date that the United States Trade Representative announces in a notice published in the *Federal Register* that Australia has completed its applicable domestic procedures to give effect to the agreement to change the USAFTA rules of origin for certain yarns of viscose rayon fiber and shall be effective with respect to originating goods of Australia entered, or withdrawn from warehouse for consumption, on or after the date indicated in the notice.

(7) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of December, in the year of our Lord two thousand eight, and of the Independence of the United States of America the two hundred and thirty-third.

GEORGE W. BUSH



**ANNEX I**

Effective with respect to eligible agricultural products of Israel which are entered, or withdrawn from warehouse for consumption, on or after January 1, 2009 and before the close of December 31, 2009, subchapter VIII of chapter 99 of the Harmonized Tariff Schedule of the United States is hereby modified as follows:

1. U.S. note 1 to such subchapter is modified by deleting "December 31, 2008" and by inserting in lieu thereof "December 31, 2009".
2. U.S. note 3 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2009 466,000".
3. U.S. note 4 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2009 1,304,000".
4. U.S. note 5 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2009 1,534,000".
5. U.S. note 6 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2009 131,000".
6. U.S. note 7 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2009 707,000".

**ANNEX II**

**MODIFICATIONS TO THE HARMONIZED TARIFF SCHEDULE  
OF THE UNITED STATES WITH RESPECT TO THE TARIFF TREATMENT  
OF CERTAIN GOODS ORIGINATING IN THE TERRITORY OF CHILE**

Effective with respect to originating goods of Chile under the terms of general note 26 to the Harmonized Tariff Schedule of the United States (HTS) that are entered, or withdrawn from warehouse for consumption, on or after January 1, 2009, the rates of duty 1-special subcolumn of column 1 for each of the tariff provisions enumerated below is modified by deleting the rate of duty set forth in such subcolumn and the "(CL)" symbol following such rate and by inserting "CL," in alphabetical order, in the parentheses following the "Free" rate of duty in such subcolumn:

0710.22.40  
0710.30.00  
0710.40.00  
0710.80.97  
0710.90.91  
2005.99.80

**ANNEX III**

**TO MODIFY CERTAIN RULES OF ORIGIN FOR THE  
AUSTRALIA-UNITED STATES FREE TRADE AGREEMENT**

Effective with respect to goods of Australia under the terms of general note 28 to the Harmonized Tariff Schedule of the United States (HTS) that are entered, or withdrawn from warehouse for consumption, on or after the date announced by the United States Trade Representative in a notice published in the Federal Register, subdivision (n) of general note 28 is hereby modified as follows:

1. Tariff classification rule (TCR) 1 for chapter 55 is deleted.

2. The following new TCRs are inserted in numerical sequence:

- \*1. A change to subheadings 5501.00 through 5510.30 from any other chapter, except from headings 5201 through 5203 or 5401 through 5405.
- 1A. A change to subheading 5510.90 from subheading 5504.10 or from any other chapter, except from headings 5201 through 5203 or 5401 through 5405.
- 1B. A change to heading 5511 from any other chapter, except from headings 5201 through 5203 or 5401 through 5405."

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## EXECUTIVE ORDERS

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**Executive Order 13454 of January 4, 2008**

### **Adjustments of Certain Rates of Pay**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the laws cited herein, it is hereby ordered as follows:

**Section 1. *Statutory Pay Systems.*** The rates of basic pay or salaries of the statutory pay systems (as defined in 5 U.S.C. 5302(1)), as adjusted under 5 U.S.C. 5303(a), are set forth on the schedules attached hereto and made a part hereof:

- (a) The General Schedule (5 U.S.C. 5332(a)) at Schedule 1;
- (b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and
- (c) The schedules for the Veterans Health Administration of the Department of Veterans Affairs (38 U.S.C. 7306, 7404; section 301(a) of Public Law 102–40) at Schedule 3.

**Sec. 2. *Senior Executive Service.*** The ranges of rates of basic pay for senior executives in the Senior Executive Service, as established pursuant to 5 U.S.C. 5382, are set forth on Schedule 4 attached hereto and made a part hereof.

**Sec. 3. *Certain Executive, Legislative and Judicial Salaries.*** The rates of basic pay or salaries for the following offices and positions are set forth on the schedules attached hereto and made a part hereof:

- (a) The Executive Schedule (5 U.S.C. 5312–5318) at Schedule 5;
- (b) The Vice President (3 U.S.C. 104) and the Congress (2 U.S.C. 31) at Schedule 6; and
- (c) Justices and judges (28 U.S.C. 5, 44(d), 135, 252, and 461(a), section 140 of Public Law 97–92, and section 305 of Division D of the Consolidated Appropriations Act, 2008), at Schedule 7.

**Sec. 4. *Uniformed Services.*** The rates of monthly basic pay (37 U.S.C. 203(a)) for members of the uniformed services, as adjusted under 37 U.S.C. 1009, and the rate of monthly cadet or midshipman pay (37 U.S.C. 203(c)) are set forth on Schedule 8 attached hereto and made a part hereof.

**Sec. 5. *Locality-Based Comparability Payments.***

**EO 13454**

**Title 3—The President**

(a) Pursuant to section 5304 of title 5, United States Code, and section 740 of Division D of the Consolidated Appropriations Act, 2008, locality-based comparability payments shall be paid in accordance with Schedule 9 attached hereto and made a part hereof.

(b) The Director of the Office of Personnel Management shall take such actions as may be necessary to implement these payments and to publish appropriate notice of such payments in the **Federal Register**.

**Sec. 6. *Administrative Law Judges.*** The rates of basic pay for administrative law judges, as adjusted under 5 U.S.C. 5372(b)(4), are set forth on Schedule 10 attached hereto and made a part hereof.

**Sec. 7. *Effective Dates.*** Schedule 8 is effective on January 1, 2008. The other schedules contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 2008.

**Sec. 8. *Prior Order Superseded.*** Executive Order 13420 of December 21, 2006, is superseded.

GEORGE W. BUSH

The White House,  
*January 4, 2008.*

## Executive Orders

EO 13454

## SCHEDULE 1--GENERAL SCHEDULE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2008)

	1	2	3	4	5	6	7	8	9	10
GS-1	\$17,046	\$17,615	\$18,182	\$18,746	\$19,313	\$19,646	\$20,206	\$20,771	\$20,793	\$21,324
GS-2	19,165	19,621	20,255	20,793	21,025	21,643	22,261	22,879	23,497	24,115
GS-3	20,911	21,608	22,305	23,002	23,699	24,396	25,093	25,790	26,487	27,184
GS-4	23,475	24,258	25,041	25,824	26,607	27,390	28,173	28,956	29,739	30,522
GS-5	26,264	27,139	28,014	28,889	29,764	30,639	31,514	32,389	33,264	34,139
GS-6	29,276	30,252	31,228	32,204	33,180	34,156	35,132	36,108	37,084	38,060
GS-7	32,534	33,618	34,702	35,786	36,870	37,954	39,038	40,122	41,206	42,290
GS-8	36,030	37,231	38,432	39,633	40,834	42,035	43,236	44,437	45,638	46,839
GS-9	39,795	41,122	42,449	43,776	45,103	46,430	47,757	49,084	50,411	51,738
GS-10	43,824	45,285	46,746	48,207	49,668	51,129	52,590	54,051	55,512	56,973
GS-11	48,148	49,753	51,358	52,963	54,568	56,173	57,778	59,383	60,988	62,593
GS-12	57,709	59,633	61,557	63,481	65,405	67,329	69,253	71,177	73,101	75,025
GS-13	68,625	70,913	73,201	75,489	77,777	80,065	82,353	84,641	86,929	89,217
GS-14	81,093	83,796	86,499	89,202	91,905	94,608	97,311	100,014	102,717	105,420
GS-15	95,390	98,570	101,750	104,930	108,110	111,290	114,470	117,650	120,830	124,010

## SCHEDULE 2--FOREIGN SERVICE SCHEDULE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2008)

Step	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8	Class 9
1	\$95,390	\$77,294	\$62,631	\$50,749	\$41,122	\$36,762	\$32,864	\$29,379	\$26,264
2	98,252	79,613	64,510	52,271	42,356	37,865	33,850	30,260	27,052
3	101,199	82,001	66,445	53,840	43,626	39,001	34,865	31,168	27,863
4	104,235	84,461	68,439	55,455	44,935	40,171	35,911	32,103	28,699
5	107,362	86,995	70,492	57,118	46,283	41,376	36,989	33,066	29,560
6	110,583	89,605	72,606	58,832	47,672	42,617	38,098	34,058	30,447
7	113,901	92,293	74,785	60,597	49,102	43,896	39,241	35,080	31,361
8	117,318	95,062	77,028	62,415	50,575	45,213	40,419	36,132	32,301
9	120,837	97,914	79,339	64,287	52,092	46,569	41,631	37,216	33,270
10	124,010	100,851	81,719	66,216	53,655	47,966	42,880	38,333	34,269
11	124,010	103,877	84,171	68,202	55,265	49,405	44,166	39,483	35,297
12	124,010	106,993	86,696	70,248	56,922	50,887	45,491	40,667	36,356
13	124,010	110,203	89,297	72,356	58,630	52,414	46,856	41,887	37,446
14	124,010	113,509	91,976	74,527	60,389	53,986	48,262	43,144	38,570

## Executive Orders

EO 13454

**SCHEDULE 3--VETERANS HEALTH ADMINISTRATION SCHEDULES  
DEPARTMENT OF VETERANS AFFAIRS**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2008)

Schedule for the Office of the Under Secretary for Health  
(38 U.S.C. 7306)\*

Assistant Under Secretaries for Health . . . . . \$150,588\*\*  
(Only applies to incumbents who are not physicians or dentists)

	<u>Minimum</u>	<u>Maximum</u>
Service Directors . . . . .	\$111,873	\$138,939
Director, National Center for Preventive Health . . . . .	95,390	138,939

Physician and Dentist Base and Longevity Schedule\*\*\*

Physician Grade . . . . .	\$93,818	\$137,596
Dentist Grade . . . . .	93,818	137,596

Clinical Podiatrist, Chiropractor, and Optometrist Schedule

Chief Grade . . . . .	\$95,390	\$124,010
Senior Grade . . . . .	81,093	105,420
Intermediate Grade . . . . .	68,625	89,217
Full Grade . . . . .	57,709	75,025
Associate Grade . . . . .	48,148	62,593

Physician Assistant and Expanded-Function  
Dental Auxiliary Schedule \*\*\*\*

Director Grade . . . . .	\$95,390	\$124,010
Assistant Director Grade . . . . .	81,093	105,420
Chief Grade . . . . .	68,625	89,217
Senior Grade . . . . .	57,709	75,025
Intermediate Grade . . . . .	48,148	62,593
Full Grade . . . . .	39,795	51,738
Associate Grade . . . . .	34,244	44,513
Junior Grade . . . . .	29,276	38,060

\* This schedule does not apply to the Deputy Under Secretary for Health, the Associate Deputy Under Secretary for Health, Assistant Under Secretaries for Health who are physicians or dentists, Medical Directors, the Assistant Under Secretary for Nursing Programs, or the Director of Nursing Services.

\*\* Pursuant to 38 U.S.C. 7404(d), the rate of basic pay payable to these employees is limited to the rate for level V of the Executive Schedule, which is \$139,600.

\*\*\* Pursuant to section 3 of Public Law 108-445 and 38 U.S.C. 7431, Veterans Health Administration physicians and dentists may also be paid market pay and performance pay.

\*\*\*\* Pursuant to section 301(a) of Public Law 102-40, these positions are paid according to the Nurse Schedule in 38 U.S.C. 4107(b), as in effect on August 14, 1990, with subsequent adjustments.

**SCHEDULE 4--SENIOR EXECUTIVE SERVICE**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2008)

Agencies with a Certified SES	<u>Minimum</u>	<u>Maximum</u>
Performance Appraisal System . . . . .	\$114,468	\$172,200
Agencies without a Certified SES		
Performance Appraisal System . . . . .	\$114,468	\$158,500

**SCHEDULE 5--EXECUTIVE SCHEDULE**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2008)

Level I . . . . .	\$191,300
Level II . . . . .	172,200
Level III . . . . .	158,500
Level IV . . . . .	149,000
Level V . . . . .	139,600

**SCHEDULE 6--VICE PRESIDENT AND MEMBERS OF CONGRESS**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2008)

Vice President . . . . .	\$221,100
Senators . . . . .	169,300
Members of the House of Representatives . . . . .	169,300
Delegates to the House of Representatives . . . . .	169,300
Resident Commissioner from Puerto Rico . . . . .	169,300
President pro tempore of the Senate . . . . .	188,100
Majority leader and minority leader of the Senate . . . . .	188,100
Majority leader and minority leader of the House of Representatives . . . . .	188,100
Speaker of the House of Representatives . . . . .	217,400

**SCHEDULE 7--JUDICIAL SALARIES**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2008)

Chief Justice of the United States . . . . .	\$217,400
Associate Justices of the Supreme Court . . . . .	208,100
Circuit Judges . . . . .	179,500
District Judges . . . . .	169,300
Judges of the Court of International Trade . . . . .	169,300



## Executive Orders

EO 13454

**SCHEDULE 8-PAY OF THE UNIFORMED SERVICES**  
(Effective on January 1, 2008)

**Part I-MONTHLY BASIC PAY**

Pay Grade	YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)									
	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18
	COMMISSIONED OFFICERS									
O-10**	-	-	-	-	-	-	-	-	-	-
O-9	\$9,702.60	\$9,105.90	\$9,233.70	\$9,469.80	\$9,864.60	\$9,956.40	\$10,331.10	\$10,438.30	\$10,761.30	\$11,227.80
O-8	7,234.50	7,570.50	7,849.80	8,073.60	8,294.40	8,550.30	8,805.30	9,061.20	9,317.10	9,573.00
O-7	5,362.50	5,690.80	6,077.20	6,301.20	6,514.40	6,606.90	6,850.90	7,061.20	7,266.40	7,471.60
O-6	4,470.00	4,635.50	4,949.80	5,167.00	5,397.50	5,633.40	5,875.90	6,125.00	6,380.90	6,643.00
O-5	3,739.50	3,884.40	4,014.30	4,149.30	4,323.70	4,544.40	4,771.90	5,006.40	5,247.90	5,495.40
O-4	3,190.00	3,316.50	3,433.00	3,553.20	3,733.20	3,954.80	4,184.80	4,414.80	4,644.80	4,874.80
O-3***	2,929.50	3,036.00	3,136.50	3,243.00	3,393.80	3,598.80	3,799.80	3,999.80	4,199.80	4,399.80
O-2***	2,225.50	2,316.90	2,416.90	2,516.90	2,654.80	2,854.80	3,054.80	3,254.80	3,454.80	3,654.80
O-1***	2,543.40	2,446.90	2,399.80	2,346.90	2,199.80	2,146.90	2,199.80	2,146.90	2,199.80	2,146.90
COMMISSIONED OFFICERS WITH OVER 14 YEARS ACTIVE DUTY***										
AS AN ENLISTED MEMBER OR WARRANT OFFICER***										
O-3E	-	-	-	\$4,523.70	\$4,740.00	\$4,977.50	\$5,132.10	\$5,385.30	\$5,598.60	\$5,720.70
O-2E	-	-	-	3,799.80	3,954.80	4,199.80	4,444.80	4,689.80	4,934.80	5,179.80
O-1E	-	-	-	3,199.80	3,417.30	3,543.30	3,672.60	3,795.50	3,973.20	3,973.20
WARRANT OFFICERS										
W-5	-	-	-	-	-	-	-	-	-	-
W-4	\$3,504.00	\$3,769.80	\$3,878.10	\$3,984.60	\$4,167.90	\$4,348.80	\$4,532.70	\$4,803.30	\$5,051.40	\$5,282.10
W-3	3,200.10	3,333.60	3,470.10	3,515.10	3,658.50	3,940.80	4,234.20	4,712.80	4,532.40	4,697.10
W-2	2,831.70	3,099.60	3,182.10	3,238.80	3,422.40	3,708.00	3,893.30	3,988.50	4,158.90	4,291.80
W-1	2,485.50	2,752.50	2,825.10	2,977.20	3,157.20	3,421.80	3,583.40	3,718.50	3,886.90	4,022.40
Basic pay is limited to the rate of basic pay for level 1E of the Executive Schedule, which is \$14,340 per month for officers at pay grades O-7 through O-10, and limited to the rate of basic pay for level V of the Executive Schedule, which is \$15,633.40 per month, for officers at pay grades O-6 and below.										

\* Basic pay is limited to the rate of basic pay for level II of the Executive Schedule, which is \$14,349.90 per month for officers at pay grades O-7 through O-10, and limited to the rate of basic pay for level V of the Executive Schedule, which is \$11,633.40 per month, for officers at O-6 and below.

\*\* For officers serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, Commandant of the Coast Guard, or commander of a unified or specified combatant command (see 37 U.S.C. 205(c)(1)), basic pay shall be computed under 37 U.S.C. 205(c)(2). For all other officers, basic pay shall be computed under 37 U.S.C. 205. Nevertheless, actual basic pay for these officers is limited to the rate of basic pay for level II of the Executive Schedule, which is \$14,349.90 per month.

\*\*\* Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

\*\*\*\* Reservists with at least 1,460 points as an enlisted member and/or warrant officer which are creditable toward reserve retirement also qualify for these rates.

**SCHEDULE 8-PAY OF THE UNIFORMED SERVICES (PAGE 2)**  
(Effective on January 1, 2008)

**Part I-MONETARY BASIC PAY**

Pay Grade	YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)									
	Over 20	Over 22	Over 24	Over 26	Over 28	Over 30	Over 32	Over 34	Over 36	Over 40
O-10**	\$14,068.80	\$14,137.80	\$14,431.50*	\$14,943.90*	\$14,943.90*	\$15,690.90*	\$15,690.90*	\$16,475.70*	\$16,475.70*	\$17,299.50*
O-9	12,005.10	12,482.10	12,798.30	13,195.30	13,195.30	13,844.70	13,844.70	14,536.80*	14,536.80*	15,263.70*
O-8	10,261.60	10,647.60	10,963.80	11,350.80	11,350.80	11,888.40	11,888.40	12,528.00*	12,528.00*	13,219.70*
O-7	8,743.20	9,047.20	9,361.40	9,675.60	9,675.60	10,168.00	10,168.00	10,708.40	10,708.40	11,248.80*
O-6	8,425.50	8,647.20	8,871.30	9,106.90	9,106.90	9,492.90	9,492.90	9,892.90	9,892.90	10,308.40*
O-5	7,732.80	7,994.20	8,255.60	8,517.00	8,517.00	8,848.00	8,848.00	9,198.00	9,198.00	9,548.00*
O-4	7,125.80	7,387.20	7,648.60	7,909.00	7,909.00	8,240.00	8,240.00	8,590.00	8,590.00	8,940.00*
O-3***	6,518.70	6,779.10	7,039.50	7,299.90	7,299.90	7,556.70	7,556.70	7,813.00	7,813.00	8,069.30*
O-2***	4,954.80	5,116.70	5,278.60	5,440.50	5,440.50	5,616.70	5,616.70	5,792.90	5,792.90	5,969.10*
O-1***	3,199.80	3,199.80	3,199.80	3,199.80	3,199.80	3,199.80	3,199.80	3,199.80	3,199.80	3,199.80
<b>COMMISSIONED OFFICERS WITH OVER 4 YEARS ACTIVE DUTY SERVICE</b>										
O-3E	\$5,887.50	\$5,887.50	\$5,887.50	\$5,887.50	\$5,887.50	\$5,887.50	\$5,887.50	\$5,887.50	\$5,887.50	\$5,887.50
O-2E	4,954.80	4,954.80	4,954.80	4,954.80	4,954.80	4,954.80	4,954.80	4,954.80	4,954.80	4,954.80
O-1E	3,973.20	3,973.20	3,973.20	3,973.20	3,973.20	3,973.20	3,973.20	3,973.20	3,973.20	3,973.20
<b>WARRANT OFFICERS</b>										
W-5	\$6,281.00	\$6,457.20	\$6,789.70	\$7,043.40	\$7,043.40	\$7,395.60	\$7,395.60	\$7,765.50	\$7,765.50	\$8,154.00
W-4	5,454.40	5,724.70	5,999.90	6,275.10	6,275.10	6,558.00	6,558.00	6,838.00	6,838.00	7,118.00
W-3	5,193.60	5,313.30	5,440.50	5,613.60	5,613.60	5,613.60	5,613.60	5,613.60	5,613.60	5,613.60
W-2	4,556.40	4,651.50	4,727.10	4,727.10	4,727.10	4,727.10	4,727.10	4,727.10	4,727.10	4,727.10
W-1	4,295.10	4,295.10	4,295.10	4,295.10	4,295.10	4,295.10	4,295.10	4,295.10	4,295.10	4,295.10

\* Basic pay is limited to the rate of basic pay for level II of the Executive Schedule, which is \$14,349.90 per month for officers at pay grades O-7 through O-10, and limited to the rate of basic pay for level V of the Executive Schedule, which is \$11,633.40 per month, for officers at O-6 and below.

\*\* For officers serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, Commandant of the Coast Guard, or commander of a unified or specified combatant command (as defined in 10 U.S.C. 101(c)), basic pay for this grade is calculated as \$15,120 per month, regardless of cumulative years of service. For officers serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, Commandant of the Coast Guard, or commander of a unified or specified combatant command (as defined in 10 U.S.C. 101(c)), basic pay for this grade is calculated as \$15,120 per month, regardless of cumulative years of service. For officers serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, Commandant of the Coast Guard, or commander of a unified or specified combatant command (as defined in 10 U.S.C. 101(c)), basic pay for this grade is calculated as \$15,120 per month, regardless of cumulative years of service.

\*\*\* Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

\*\*\*\* Reservists with at least 1,460 points as an enlisted member and/or warrant officer which are creditable toward reserve retirement also qualify for these rates.

**SCHEDULE 8-PAY OF THE UNIFORMED SERVICES (PAGE 3)**  
(Effective on January 1, 2008)

**Part I-MONTHLY BASIC PAY**

Pay Grade	YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)											Over 18	
	2 or less	Over 2	Over 3	Over 4	Over 5	Over 6	ENLISTED MEMBERS				Over 14		Over 16
							Over 8	Over 10	Over 12	Over 14			
E-9*	-	-	-	-	-	-	\$3,465.60	\$4,233.90	\$4,328.90	\$4,450.80	\$4,593.30	\$4,736.40	
E-8	\$2,409.30	\$2,629.50	\$2,730.30	\$2,864.10	\$2,967.90	\$3,147.00	3,147.00	3,619.20	3,714.30	3,828.00	3,951.00	4,173.30	
E-7	2,083.80	2,392.50	2,394.00	2,492.40	2,595.00	2,826.30	2,826.30	3,247.20	3,426.60	3,575.10	3,676.80	3,784.50	
E-6	1,750.50	1,840.20	1,840.20	1,939.50	2,037.90	2,134.60	2,134.60	2,516.30	2,696.00	2,843.40	2,944.00	3,047.00	
E-5	1,580.10	1,679.70	1,679.70	1,781.10	1,781.10	1,884.60	1,884.60	2,266.30	2,446.00	2,593.40	2,694.00	2,797.00	
E-4	1,410.70	1,509.70	1,509.70	1,611.10	1,611.10	1,714.60	1,714.60	2,096.30	2,276.00	2,423.40	2,524.00	2,627.00	
E-3	1,240.30	1,339.30	1,339.30	1,440.70	1,440.70	1,544.20	1,544.20	1,925.90	2,105.60	2,253.00	2,354.00	2,457.00	
E-2	1,070.90	1,169.90	1,169.90	1,271.30	1,271.30	1,374.80	1,374.80	1,756.50	1,936.20	2,083.60	2,184.00	2,287.00	
E-1**	900.50	999.50	999.50	1,100.90	1,100.90	1,204.40	1,204.40	1,586.10	1,765.80	1,913.20	2,014.00	2,117.00	
E-1***	730.10	829.10	829.10	930.50	930.50	1,034.00	1,034.00	1,415.70	1,595.40	1,742.80	1,844.00	1,947.00	

\* For noncommissioned officers serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Master Sergeant of the Marine Corps, pay shall be determined by the grade of the highest rank held for this grade is \$6,841.80 per month, regardless of cumulative years of service under 37 U.S.C. 205.

\*\* Applies to personnel who have served 4 months or more on active duty.

\*\*\* Applies to personnel who have served less than 4 months on active duty.

**SCHEDULE B-PAY OF THE UNIFORMED SERVICES (PAGE 4)**  
(Effective on January 1, 2008)

Pay Grade	Part I-MONETARY BASIC PAY									
	YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)									
	Over 20	Over 22	Over 24	Over 26	Over 28	Over 30	Over 32	Over 34	Over 36	Over 38
E-9*	\$4,966.20	\$5,160.60	\$5,365.50	\$5,578.10	\$5,798.10	\$5,962.20	\$5,962.20	\$6,260.40	\$6,260.40	\$6,573.30
E-8	4,286.10	4,477.80	4,684.00	4,845.30	4,845.30	4,943.10	4,943.10	4,943.10	4,943.10	4,943.10
E-7	3,927.10	3,997.50	4,043.10	4,330.20	4,330.20	4,330.20	4,330.20	4,330.20	4,330.20	4,330.20
E-6	3,527.10	3,597.50	3,643.10	3,709.00	3,709.00	3,709.00	3,709.00	3,709.00	3,709.00	3,709.00
E-5	2,709.00	2,709.00	2,709.00	2,709.00	2,709.00	2,709.00	2,709.00	2,709.00	2,709.00	2,709.00
E-4	2,124.60	2,124.60	2,124.60	2,124.60	2,124.60	2,124.60	2,124.60	2,124.60	2,124.60	2,124.60
E-3	1,781.10	1,781.10	1,781.10	1,781.10	1,781.10	1,781.10	1,781.10	1,781.10	1,781.10	1,781.10
E-2	1,502.40	1,502.40	1,502.40	1,502.40	1,502.40	1,502.40	1,502.40	1,502.40	1,502.40	1,502.40
E-1**	1,340.40	1,340.40	1,340.40	1,340.40	1,340.40	1,340.40	1,340.40	1,340.40	1,340.40	1,340.40
E-1***										

\* For noncommissioned officers serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Senior Enlisted Advisor to the Chairman of the Joint Chiefs of Staff, basic pay for this grade is \$6,841.80 per month, regardless of cumulative years of service under 37 U.S.C. 205.

\*\* Applies to personnel who have served 4 months or more on active duty.

\*\*\* Applies to personnel who have served less than 4 months on active duty.

## Executive Orders

EO 13454

### SCHEDULE 8-PAY OF THE UNIFORMED SERVICES (PAGE 5)

#### Part II-RATE OF MONTHLY CADET OR MIDSHIPMAN PAY

The rate of monthly cadet or midshipman pay authorized by 37 U.S.C. 203(c) is \$890.10.

Note: As a result of the enactment of sections 602-604 of Public Law 105-85, the National Defense Authorization Act for Fiscal Year 1998, the Secretary of Defense now has the authority to adjust the rates of basic allowances for subsistence and housing. Therefore, these allowances are no longer adjusted by the President in conjunction with the adjustment of basic pay for members of the uniformed services. Accordingly, the tables of allowances included in previous orders are not included here.

**SCHEDULE 9--LOCALITY-BASED COMPARABILITY PAYMENTS**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2008)

<u>Locality Pay Area<sup>1</sup></u>	<u>Rate</u>
Atlanta-Sandy Springs-Gainesville, GA-AL. . . . .	17.30%
Boston-Worcester-Manchester, MA-NH-RI-ME. . . . .	22.51%
Buffalo-Niagara-Cattaraugus, NY. . . . .	15.37%
Chicago-Naperville-Michigan City, IL-IN-WI. . . . .	23.16%
Cincinnati-Middletown-Wilmington, OH-KY-IN. . . . .	17.77%
Cleveland-Akron-Elyria, OH. . . . .	17.11%
Columbus-Marion-Chillicothe, OH. . . . .	15.80%
Dallas-Fort Worth, TX. . . . .	18.74%
Dayton-Springfield-Greenville, OH. . . . .	15.26%
Denver-Aurora-Boulder, CO. . . . .	21.03%
Detroit-Warren-Flint, MI. . . . .	22.53%
Hartford-West Hartford-Willimantic, CT-MA. . . . .	23.97%
Houston-Baytown-Huntsville, TX. . . . .	27.39%
Huntsville-Decatur, AL. . . . .	14.23%
Indianapolis-Anderson-Columbus, IN. . . . .	13.51%
Los Angeles-Long Beach-Riverside, CA. . . . .	25.26%
Miami-Fort Lauderdale-Pompano Beach, FL. . . . .	19.11%
Milwaukee-Racine-Waukesha, WI. . . . .	16.73%
Minneapolis-St. Paul-St. Cloud, MN-WI. . . . .	19.43%
New York-Newark-Bridgeport, NY-NJ-CT-PA. . . . .	26.36%
Philadelphia-Camden-Vineland, PA-NJ-DE-MD. . . . .	20.14%
Phoenix-Mesa-Scottsdale, AZ. . . . .	14.74%
Pittsburgh-New Castle, PA. . . . .	14.93%
Portland-Vancouver-Beaverton, OR-WA. . . . .	18.72%
Raleigh-Durham-Cary, NC. . . . .	16.82%
Richmond, VA. . . . .	15.40%
Sacramento-Arden-Arcade-Yuba City, CA-NV. . . . .	20.25%
San Diego-Carlsbad-San Marcos, CA. . . . .	22.00%
San Jose-San Francisco-Oakland, CA. . . . .	32.53%
Seattle-Tacoma-Olympia, WA. . . . .	19.75%
Washington-Baltimore-Northern Virginia, DC-MD-VA-WV-PA. . . . .	20.89%
Rest of U.S. . . . .	13.18%

**SCHEDULE 10-ADMINISTRATIVE LAW JUDGES**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2008)

AL-3/A. . . . .	\$99,500
AL-3/B. . . . .	107,000
AL-3/C. . . . .	114,800
AL-3/D. . . . .	122,400
AL-3/E. . . . .	130,100
AL-3/F. . . . .	137,600
AL-2. . . . .	145,400
AL-1. . . . .	149,000

<sup>1</sup>Locality Pay Areas are defined in 5 CFR 531.603.

Executive Order 13455 of January 22, 2008

## Establishing the President's Advisory Council on Financial Literacy

By the authority vested in me as President by the Constitution and the laws of the United States of America and to promote and enhance financial literacy among the American people, it is hereby ordered as follows:

**Section 1. *Policy.*** To help keep America competitive and assist the American people in understanding and addressing financial matters, it is the policy of the Federal Government to encourage financial literacy among the American people.

**Sec. 2. *Establishment of the Council.*** There is established within the Department of the Treasury the President's Advisory Council on Financial Literacy (Council).

**Sec. 3. *Membership and Operation of the Council.*** (a) The Council shall consist of 19 members appointed by the President from among individuals not employed by the Federal Government, consistent with subsection (b) of this section.

(b) In selecting individuals for appointment to the Council, appropriate consideration should be given to selection of individuals with backgrounds as providers of, consumers of, promoters of access to, and educators with respect to financial education and financial services. Each individual member of the Council will serve as a representative of his or her industry, trade group, public interest group, or other organization or group. The composition of the Council will reflect the views of diverse stakeholders.

(c) The President shall designate a Chair and a Vice Chair from among the members of the Council.

(d) Subject to the direction of the Secretary of the Treasury (Secretary), the Chair shall convene and preside at meetings of the Council, determine its agenda, direct its work, and, as appropriate to deal with particular subject matters, establish and direct the work of subgroups of the Council that shall consist exclusively of members of the Council.

(e) The Vice Chair shall perform:

- (i) the duties of the Chair when the position of Chair is vacant; and
- (ii) such other functions as the Chair may from time to time assign.

**Sec. 4. *Functions of the Council.*** To assist in implementing the policy set forth in section 1 of this order, the Council shall:

(a) obtain information and advice concerning financial literacy as appropriate in the course of its work from:

- (i) officers and employees of executive departments and agencies (including members of the Financial Literacy and Education Commission), unless otherwise directed by the head of the department or agency;
- (ii) State, local, territorial, and tribal officials;
- (iii) providers of, consumers of, promoters of access to, and educators with respect to financial services;

- (iv) experts on matters relating to the policy set forth in section 1; and
- (v) such other individuals as the Secretary may direct;
- (b) advise the President and the Secretary consistent with this order on means to implement effectively the policy set forth in section 1, including by providing advice on means to:
  - (i) improve financial education efforts for youth in school and for adults in the workplace;
  - (ii) promote effective access to financial services, especially for those without access to such services;
  - (iii) establish effective measures of national financial literacy;
  - (iv) conduct research on financial knowledge, including the collection of data on the extent of financial knowledge of individuals; and
  - (v) strengthen and coordinate public and private sector financial education programs; and
- (c) periodically report to the President, through the Secretary, on:
  - (i) the status of financial literacy in the United States;
  - (ii) progress made in implementing the policy set forth in section 1 of this order; and
  - (iii) recommendations on means to further implement the policy set forth in section 1 of this order, including with respect to the matters set forth in subsection (b)(i) through (v) of this section.

**Sec. 5. *Administration of the Council.*** (a) To the extent permitted by law, the Department of the Treasury shall provide funding and administrative support for the Council, as determined by the Secretary, to implement this order.

(b) The heads of executive departments and agencies shall provide, as appropriate and to the extent permitted by law, such assistance and information to the Council as the Secretary may request to implement this order.

(c) Members of the Council:

- (i) shall serve without any compensation for their work on the Council; and
- (ii) while engaged in the work of the Council, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government (5 U.S.C. 5701–5707), consistent with the availability of funds.

(d) The Secretary shall designate an officer or employee of the United States within the Department of the Treasury to serve as an Executive Director to supervise the administrative support for the Council.

**Sec. 6. *Termination of the Council.*** Unless extended by the President, the Council shall terminate 2 years from the date of this order.

**Sec. 7. *General Provisions.*** (a) Insofar as the Federal Advisory Committee Act, as amended (5 U.S.C. App.) (Act), may apply to the Council, any functions of the President under the Act, except for those in section 6 of the Act, shall be performed by the Secretary in accordance with the guidelines issued by the Administrator of General Services.



**Executive Orders**

**EO 13456**

- (b) Nothing in this order shall be construed to impair or otherwise affect:
  - (i) authority granted by law to a department or agency or the head thereof; or
  - (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.
- (c) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
January 22, 2008.

**Executive Order 13456 of January 23, 2008**

**Further Amendment of Executive Order 11858 Concerning Foreign Investment in the United States**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 721 of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2170), and section 301 of title 3, United States Code, it is hereby ordered as follows:

**Section 1.** *Amendment to Executive Order 11858.* Executive Order 11858 of May 7, 1975, as amended, is further amended to read as follows:

**“FOREIGN INVESTMENT IN THE UNITED STATES**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 721 of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2170), and section 301 of title 3, United States Code, it is hereby ordered as follows:

**Section 1. Policy.** International investment in the United States promotes economic growth, productivity, competitiveness, and job creation. It is the policy of the United States to support unequivocally such investment, consistent with the protection of the national security.

**Sec. 2. Definitions.** (a) The “Act” as used in this order means section 721 of the Defense Production Act of 1950, as amended.

(b) Terms used in this order that are defined in subsection 721(a) of the Act shall have the same meaning in this order as they have in such subsection.

(c) “Risk mitigation measure” as used in this order means any provision of a risk mitigation agreement or a condition to which section 7 of this order refers.

**Sec. 3. Establishment.** (a) There is hereby established the Committee on Foreign Investment in the United States (the “Committee”) as provided in the Act.

(b) In addition to the members specified in the Act, the following heads of departments, agencies, or offices shall be members of the Committee:

- (i) The United States Trade Representative;
- (ii) The Director of the Office of Science and Technology Policy; and
- (iii) The heads of any other executive department, agency, or office, as the President or the Secretary of the Treasury determines appropriate, on a case-by-case basis.

(c) The following officials (or their designees) shall observe and, as appropriate, participate in and report to the President on the Committee's activities:

- (i) The Director of the Office of Management and Budget;
- (ii) The Chairman of the Council of Economic Advisers;
- (iii) The Assistant to the President for National Security Affairs;
- (iv) The Assistant to the President for Economic Policy; and
- (v) The Assistant to the President for Homeland Security and Counterterrorism.

**Sec. 4. *Duties of the Secretary of the Treasury.***

(a) The functions of the President under subsections (b)(1)(A) (relating to review and consideration after notification), (b)(1)(D) (relating to unilateral initiation of review and consideration), and (m)(3)(A) (relating to inclusion in annual report and designation) of the Act are assigned to the Secretary of the Treasury.

(b) The Secretary of the Treasury shall perform the function of issuance of regulations under section 721(h) of the Act. The Secretary shall consult the Committee with respect to such regulations prior to any notice and comment and prior to their issuance.

(c) Except as otherwise provided in the Act or this order, the chairperson shall have the authority, exclusive of the heads of departments or agencies, after consultation with the Committee:

- (i) to act, or authorize others to act, on behalf of the Committee; and
- (ii) to communicate on behalf of the Committee with the Congress and the public.

(d) The chairperson shall coordinate the preparation of and transmit the annual report to the Congress provided for in the Act and may assign to any member of the Committee, as the chairperson determines appropriate and consistent with the Act, responsibility for conducting studies and providing analyses necessary for the preparation of the report.

(e) After consultation with the Committee, the chairperson may request that the Director of National Intelligence begin preparing the analysis required by the Act at any time, including prior to acceptance of the notice of a transaction, in accordance with otherwise applicable law. The Director of National Intelligence shall provide the Director's analysis as soon as possible and consistent with section 721(b)(4) of the Act.

**Sec. 5. *Lead Agency.*** (a) The lead agency or agencies ("lead agency") shall have primary responsibility, on behalf of the Committee, for the

specific activity for which the Secretary of the Treasury designates it a lead agency.

(b) In acting on behalf of the Committee, the lead agency shall keep the Committee fully informed of its activities. In addition, the lead agency shall notify the chairperson of any material action that the lead agency proposes to take on behalf of the Committee, sufficiently in advance to allow adequate time for the chairperson to consult the Committee and provide the Committee's direction to the lead agency not to take, or to amend, such action.

**Sec. 6. *Reviews and Investigations.***

(a) Any member of the Committee may conduct its own inquiry with respect to the potential national security risk posed by a transaction, but communication with the parties to a transaction shall occur through or in the presence of the lead agency, or the chairperson if no lead agency has been designated.

(b) The Committee shall undertake an investigation of a transaction in any case, in addition to the circumstances described in the Act, in which following a review a member of the Committee advises the chairperson that the member believes that the transaction threatens to impair the national security of the United States and that the threat has not been mitigated.

(c) The Committee shall send a report to the President requesting the President's decision with respect to a review or investigation of a transaction in the following circumstances:

(i) the Committee recommends that the President suspend or prohibit the transaction;

(ii) the Committee is unable to reach a decision on whether to recommend that the President suspend or prohibit the transaction; or

(iii) the Committee requests that the President make a determination with regard to the transaction.

(d) Upon completion of a review or investigation of a transaction, the lead agency shall prepare for the approval of the chairperson the appropriate certified notice or report to the Congress called for under the Act. The chairperson shall transmit such notice or report to the Congress, as appropriate.

**Sec. 7. *Risk Mitigation.*** (a) The Committee, or any lead agency acting on behalf of the Committee, may seek to mitigate any national security risk posed by a transaction that is not adequately addressed by other provisions of law by entering into a mitigation agreement with the parties to a transaction or by imposing conditions on such parties.

(b) Prior to the Committee or a department or agency proposing risk mitigation measures to the parties to a transaction, the department or agency seeking to propose any such measure shall prepare and provide to the Committee a written statement that: (1) identifies the national security risk posed by the transaction based on factors including the threat (taking into account the Director of National Intelligence's threat analysis), vulnerabilities, and potential consequences; and (2) sets forth the risk mitigation measures the department or agency believes are reasonably

necessary to address the risk. If the Committee agrees that mitigation is appropriate and approves the risk mitigation measures, the lead agency shall seek to negotiate such measures with the parties to the transaction.

(c) A risk mitigation measure shall not, except in extraordinary circumstances, require that a party to a transaction recognize, state its intent to comply with, or consent to the exercise of any authorities under existing provisions of law.

(d) The lead agency designated for the purpose of monitoring a risk mitigation measure shall seek to ensure that adequate resources are available for such monitoring. When designating a lead agency for those purposes, the Secretary of the Treasury shall consider the agency's views on the adequacy of its resources for such purposes.

(e)(i) Nothing in this order shall be construed to limit the ability of a department or agency, in the exercise of authorities other than those provided under the Act, to:

(A) conduct inquiries with respect to a transaction;

(B) communicate with the parties to a transaction; or

(C) negotiate, enter into, impose, or enforce contractual provisions with the parties to a transaction.

(ii) A department or agency shall not condition actions or the exercise of authorities to which paragraph (i) of this subsection refers upon the exercise, or forbearance in the exercise, of its authority under the Act or this order, and no authority under the Act shall be available for the enforcement of such actions or authorities.

(f) The Committee may initiate a review of a transaction that has previously been reviewed by the Committee only in the extraordinary circumstances provided in the Act.

**Sec. 8. *Additional Assignments to the Committee.*** In addition to the functions assigned to the Committee by the Act, the Committee shall review the implementation of the Act and this order and report thereon from time to time to the President, together with such recommendations for policy, administrative, or legislative proposals as the Committee determines appropriate.

**Sec. 9. *Duties of the Secretary of Commerce.*** The Secretary of Commerce shall:

(a) obtain, consolidate, and analyze information on foreign investment in the United States;

(b) monitor and, where necessary, improve procedures for the collection and dissemination of information on foreign investment in the United States;

(c) prepare for the public, the President or heads of departments or agencies, as appropriate, reports, analyses of trends, and analyses of significant developments in appropriate categories of foreign investment in the United States; and

(d) compile and evaluate data on significant transactions involving foreign investment in the United States.

**Sec. 10. General Provisions.** (a) The heads of departments and agencies shall provide, as appropriate and to the extent permitted by law, such information and assistance as the Committee may request to implement the Act and this order.

(b) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to a department or agency or the head thereof;

(ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals; or

(iii) existing mitigation agreements.

(c) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(d) Officers of the United States with authority or duties under the Act or this order shall ensure that, in carrying out the Act and this order, the actions of departments, agencies, and the Committee are consistent with the President's constitutional authority to: (i) conduct the foreign affairs of the United States; (ii) withhold information the disclosure of which could impair the foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive's constitutional duties; (iii) recommend for congressional consideration such measures as the President may judge necessary and expedient; and (iv) supervise the unitary executive branch.

**Sec. 11. Revocation.** Section 801 of Executive Order 12919 of June 3, 1994, is revoked."

**Sec. 2. General Provision.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
January 23, 2008.

#### Executive Order 13457 of January 29, 2008

### Protecting American Taxpayers From Government Spending on Wasteful Earmarks

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

**Section 1. Policy.** It is the policy of the Federal Government to be judicious in the expenditure of taxpayer dollars. To ensure the proper use of taxpayer funds that are appropriated for Government programs and purposes, it is necessary that the number and cost of earmarks be reduced, that their origin and purposes be transparent, and that they be included in the text of the bills voted upon by the Congress and presented to the President. For appropriations laws and other legislation enacted after the date of this

order, executive agencies should not commit, obligate, or expend funds on the basis of earmarks included in any non-statutory source, including requests in reports of committees of the Congress or other congressional documents, or communications from or on behalf of Members of Congress, or any other non-statutory source, except when required by law or when an agency has itself determined a project, program, activity, grant, or other transaction to have merit under statutory criteria or other merit-based decisionmaking.

**Sec. 2. *Duties of Agency Heads.*** (a) With respect to all appropriations laws and other legislation enacted after the date of this order, the head of each agency shall take all necessary steps to ensure that:

(i) agency decisions to commit, obligate, or expend funds for any earmark are based on the text of laws, and in particular, are not based on language in any report of a committee of Congress, joint explanatory statement of a committee of conference of the Congress, statement of managers concerning a bill in the Congress, or any other non-statutory statement or indication of views of the Congress, or a House, committee, Member, officer, or staff thereof;

(ii) agency decisions to commit, obligate, or expend funds for any earmark are based on authorized, transparent, statutory criteria and merit-based decision making, in the manner set forth in section II of OMB Memorandum M-07-10, dated February 15, 2007, to the extent consistent with applicable law; and

(iii) no oral or written communications concerning earmarks shall supersede statutory criteria, competitive awards, or merit-based decision-making.

(b) An agency shall not consider the views of a House, committee, Member, officer, or staff of the Congress with respect to commitments, obligations, or expenditures to carry out any earmark unless such views are in writing, to facilitate consideration in accordance with section 2(a)(ii) above. All written communications from the Congress, or a House, committee, Member, officer, or staff thereof, recommending that funds be committed, obligated, or expended on any earmark shall be made publicly available on the Internet by the receiving agency, not later than 30 days after receipt of such communication, unless otherwise specifically directed by the head of the agency, without delegation, after consultation with the Director of the Office of Management and Budget, to preserve appropriate confidentiality between the executive and legislative branches.

(c) Heads of agencies shall otherwise implement within their respective agencies the policy set forth in section 1 of this order, consistent with such instructions as the Director of the Office of Management and Budget may prescribe.

(d) The head of each agency shall upon request provide to the Director of the Office of Management and Budget information about earmarks and compliance with this order.

**Sec. 3. *Definitions.*** For purposes of this order:

(a) The term “agency” means an executive agency as defined in section 105 of title 5, United States Code, and the United States Postal Service and the Postal Regulatory Commission, but shall exclude the Government Accountability Office; and

(b) the term “earmark” means funds provided by the Congress for projects, programs, or grants where the purported congressional direction (whether in statutory text, report language, or other communication) circumvents otherwise applicable merit-based or competitive allocation processes, or specifies the location or recipient, or otherwise curtails the ability of the executive branch to manage its statutory and constitutional responsibilities pertaining to the funds allocation process.

**Sec. 4. General Provisions.** (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) authority granted by law to an agency or the head thereof; or
- (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented in a manner consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
January 29, 2008.

#### Executive Order 13458 of February 4, 2008

### **Implementation of the Protocol Additional to the Agreement Between the United States and the International Atomic Energy Agency for the Application of Safeguards in the United States of America**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the United States Additional Protocol Implementation Act (the “Act”)(Public Law 109–401) and section 301 of title 3, United States Code, and in order to facilitate implementation of the Act and the Protocol Additional to the Agreement between the United States and the International Atomic Energy Agency for the Application of Safeguards in the United States of America (the “Additional Protocol”), it is hereby ordered as follows:

**Section 1.** The Secretaries of State, Defense, Commerce, and Energy, the Attorney General, the Nuclear Regulatory Commission, and heads of such other agencies as appropriate, each shall issue, amend, or revise, and enforce such regulations, orders, directives, instructions, or procedures as are necessary to implement the Act and United States obligations under the Additional Protocol.

**Sec. 2.** The Secretary of Commerce, with the assistance, as necessary, of the Attorney General, is authorized to obtain and to execute warrants pursuant to section 223 of the Act for the purpose of gaining complementary access

to locations subject to regulations issued by the Department of Commerce pursuant to section 1 of this order.

**Sec. 3.** The Secretaries of State, Defense, Commerce, and Energy, the Attorney General, the Nuclear Regulatory Commission, and heads of such other departments and agencies as appropriate, are authorized to carry out, consistent with the Act and in accordance with subsequent directives, appropriate functions that are not otherwise assigned in the Act and are necessary to implement the Act and United States obligations under the Additional Protocol. The Secretary of State shall perform the function of providing notifications or information to the Congress when required by the Act.

**Sec. 4.** This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

**Sec. 5.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
February 4, 2008.

#### Executive Order 13459 of February 7, 2008

### Improving the Coordination and Effectiveness of Youth Programs

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in recognition of the successful inter-agency collaboration resulting from the *Helping America's Youth* initiative, it is hereby ordered as follows:

**Section 1. Policy.** It is the policy of the Federal Government to promote achievement of positive results for at-risk youth through:

- (a) enhanced collaboration among government organizations at the Federal, State, and local level, including with faith-based and other community organizations, as well as among families, schools, and communities, in order to leverage existing resources and improve outcomes;
- (b) identification and dissemination of promising strategies and practices that have been proven effective through rigorous evaluation; and
- (c) online publication of essential information to assist interested citizens and decision-makers, particularly at the community level, to plan, implement, and participate in effective programs for at-risk youth.

**Sec. 2. Establishment of the Interagency Working Group on Youth Programs.** The Secretary of Health and Human Services (Secretary) shall establish within the Department of Health and Human Services for administrative purposes only, an Interagency Working Group on Youth Programs (Working Group), consistent with this order and reflecting the ongoing interagency collaboration under the *Helping America's Youth* initiative.



**Sec. 3.** *Membership and Operation of the Working Group.*

(a) The Working Group shall consist exclusively of the following members or their designees, who shall be full-time Federal officers or employees:

- (i) the Secretary;
- (ii) the Attorney General;
- (iii) the Secretaries of Defense, the Interior, Agriculture, Commerce, Labor, Housing and Urban Development, and Education;
- (iv) the Director of the Office of National Drug Control Policy;
- (v) the Chief Executive Officer of the Corporation for National and Community Service; and
- (vi) other officers or full-time or permanent part-time employees of the United States, as determined by the Secretary, with the concurrence of the head of the department or agency concerned.

(b) The Secretary (or the Secretary's designee) shall serve as Chair, and the Attorney General (or the Attorney General's designee) shall serve as Vice Chair, for a period of 2 years from the date of this order. Subsequent Chairs and Vice Chairs shall be designated by the Secretary on a biennial basis.

(c) In implementing this section, the Chair, and in the Chair's absence the Vice Chair, shall convene and preside at meetings of the Working Group, determine its agenda, direct its work, and establish and direct subgroups of the Working Group, as appropriate, to deal with particular subject matters, that shall consist exclusively of members of the Working Group or their designees. The Chair, after consultation with the Vice Chair, shall designate an officer or employee of one of the member departments or agencies to serve as the Executive Secretary of the Working Group. The Executive Secretary shall head any staff assigned to the Working Group and any subgroups thereof, and such staff shall consist exclusively of full-time or permanent part-time Federal employees.

**Sec. 4.** *Functions of the Working Group.* Consistent with the policy set forth in section 1 of this order, the Working Group shall:

(a) identify and engage key government and private or nonprofit organizations that can play a role in improving the coordination and effectiveness of programs serving and engaging youth, such as faith-based and other community organizations, businesses, volunteers, and other key constituencies;

(b) develop a new Federal website on youth, built upon the *Community Guide to Helping America's Youth*, with the first phase of this website to be launched within 10 months of the date of this order, by:

- (i) identifying and assessing the strengths and weaknesses of existing Federal websites focusing on youth-serving entities in order to improve access to the most useful content;
- (ii) providing for training to youth-serving entities to enable effective use of the Federal website;
- (iii) developing additional strategies and tools and resources accessible through the Federal website that will help promote effective community-based efforts to reduce the factors that put youth at risk and the provision of high-quality services to at-risk youth across the country; and

- (iv) developing strategies to ensure that the Federal website is routinely updated, improved, and publicized;
- (c) encourage all youth-serving Federal and State agencies, communities, grantees, and organizations to adopt high standards for assessing program results, including through the use of rigorous impact evaluations, as appropriate, so that the most effective practices can be identified and replicated, and ineffective or duplicative programs can be eliminated or reformed;
- (d)(i) identify and promote initiatives and activities that merit strong inter-agency collaboration because of their potential to offer cost-effective solutions to achieve better results for at-risk youth, including volunteer service in concert with the USA Freedom Corps and mentoring in concert with the Federal Mentoring Council; and,
  - (ii) encourage rigorous evaluations, as appropriate, of such initiatives and activities to ascertain their effectiveness in improving academic, employment, social, and other individual outcomes, and make these findings publicly available, and
- (e) annually report to the President, through the Assistant to the President for Domestic Policy, on its work and on the implementation of any recommendations arising from its work, with the first such report to be submitted no later than 6 months after the date of this order.

**Sec. 5. *Administration of the Working Group.*** (a) The Secretary shall, to the extent permitted by law, provide administrative support and funding for the Working Group.

With the consent of the Secretary, other member departments or agencies may provide administrative support to the Working Group, to the extent permitted by law and consistent with their statutory authority.

(b) The heads of executive departments and agencies shall provide, as appropriate, such assistance and information as the Secretary may request to implement this order.

(c) The website referred to in section 4(b) of this order shall be funded by contributions from executive departments and agencies to the extent permitted by law and consistent with their statutory authority.

**Sec. 6. *General Provisions.*** (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) authority granted by law to a department, agency, or the head thereof; or
  - (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
February 7, 2008.

Executive Order 13460 of February 13, 2008

### **Blocking Property of Additional Persons in Connection With the National Emergency With Respect to Syria**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*)(IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, GEORGE W. BUSH, President of the United States of America, find that the Government of Syria continues to engage in certain conduct that formed the basis for the national emergency declared in Executive Order 13338 of May 11, 2004, including but not limited to undermining efforts with respect to the stabilization of Iraq. I further find that the conduct of certain members of the Government of Syria and other persons contributing to public corruption related to Syria, including by misusing Syrian public assets or by misusing public authority, entrenches and enriches the Government of Syria and its supporters and thereby enables the Government of Syria to continue to engage in certain conduct that formed the basis for the national emergency declared in Executive Order 13338. In light of these findings, and to take additional steps with respect to the national emergency declared in Executive Order 13338 of May 11, 2004, I hereby order:

**Section 1.** (a) Except to the extent provided in section 203(b)(1), (3), and (4) of IEEPA (50 U.S.C. 1702(b)(1), (3) and (4)), the Trade Sanctions Reform and Export Enhancement Act of 2000 (title IX, Public Law 106–387), or regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order, all property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person, including any overseas branch, of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in: persons determined by the Secretary of the Treasury, after consultation with the Secretary of State, to be responsible for, to have engaged in, to have facilitated, or to have secured improper advantage as a result of, public corruption by senior officials within the Government of Syria.

(b) The prohibitions in paragraph (a) of this section include, but are not limited to, (i) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person designated pursuant to this order, and (ii) the receipt of any contribution or provision of funds, goods, or services from any such person.

**Sec. 2.** Section 3(a)(iv) of Executive Order 13338 is hereby amended to read as follows:

“(iv) to be or to have been responsible for or otherwise significantly contributing to actions taken or decisions made by the Government of Syria that have the purpose or effect of undermining efforts to stabilize Iraq or of allowing the use of Syrian territory or facilities to undermine efforts to stabilize Iraq; or”.

**Sec. 3.** (a) Any transaction by a United States person or within the United States that evades or avoids, has the purpose of evading or avoiding, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

**Sec. 4.** For purposes of this order:

(a) the term “person” means any individual or entity;

(b) the term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization; and

(c) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.

**Sec. 5.** I hereby determine that the making of donations of the type specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of, persons whose property and interests in property are blocked pursuant to section 1 of this order would seriously impair my ability to deal with the national emergency declared in Executive Order 13338 and relied upon for additional steps taken in Executive Order 13399 of April 25, 2006, and I hereby prohibit such donations as provided by section 1 of this order.

**Sec. 6.** For those persons whose property and interests in property are blocked pursuant to section 1 of this order who might have a constitutional presence in the United States, I find that, because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13338 and relied upon for additional steps taken in Executive Order 13399, there need be no prior notice of a determination made pursuant to this order.

**Sec. 7.** The Secretary of the Treasury, after consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government, consistent with applicable law. All executive agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order and, where appropriate, to advise the Secretary of the Treasury in a timely manner of the measures taken.

**Sec. 8.** Nothing in this order is intended to affect the continued effectiveness of any rules, regulations, orders, licenses, or other forms of administrative action issued, taken, or continued in effect heretofore or hereafter under 31 C.F.R. chapter V, except as expressly terminated, modified, or suspended by or pursuant to this order.

**Sec. 9.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party

## Executive Orders

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against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,  
February 13, 2008.

### Executive Order 13461 of February 15, 2008

#### Providing an Order of Succession Within the Department of Health and Human Services

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.*, it is hereby ordered that:

**Section 1.** Subject to the provisions of section 3 of this order, the officers named in section 2, in the order listed, shall act as and perform the functions and duties of the Office of the Secretary of Health and Human Services (Secretary), if they are eligible to act as Secretary under the provisions of the Federal Vacancies Reform Act of 1998, during any period in which the Secretary has died, resigned, or become otherwise unable to perform the functions and duties of the office of Secretary.

**Sec. 2.** *Order of Succession.*

- (a) Deputy Secretary of Health and Human Services;
- (b) General Counsel of the Department of Health and Human Services;
- (c) Assistant Secretary (Resources and Technology);
- (d) Assistant Secretary (Planning and Evaluation);
- (e) Administrator of the Centers for Medicare and Medicaid Services;
- (f) Commissioner of Food and Drugs;
- (g) Director of the National Institutes of Health;
- (h) Assistant Secretary for Family Support;
- (i) Other Assistant Secretaries of the Department of Health and Human Services appointed by the President, in the order in which they shall have taken the oath of office as such;
- (j) Director, Centers for Disease Control and Prevention; and
- (k) Director, Region 4.

**Sec. 3.** *Exceptions.*

- (a) No individual who is serving in an office listed in section 2 of this order in an acting capacity, by virtue of so serving, shall act as Secretary pursuant to this order.
- (b) Notwithstanding the provisions of this order, the President retains discretion, consistent with the Federal Vacancies Reform Act of 1998, to depart from this order in designating an acting Secretary.

**EO 13462**

**Title 3—The President**

**Sec. 4. *Revocation.*** Executive Order 13250 of December 28, 2001 (Providing An Order of Succession Within the Department of Health and Human Services), and the President’s memorandum of March 19, 2002 (Designation of Officers of the Department of Health and Human Services), are hereby revoked.

GEORGE W. BUSH

The White House,  
*February 15, 2008.*

**Executive Order 13462 of February 29, 2008**

**President’s Intelligence Advisory Board and Intelligence Oversight Board**

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

**Section 1. *Policy.*** It is the policy of the United States to ensure that the President and other officers of the United States with responsibility for the security of the Nation and the advancement of its interests have access to accurate, insightful, objective, and timely information concerning the capabilities, intentions, and activities of foreign powers.

**Sec. 2. *Definitions.*** As used in this order:

(a) “department concerned” means an executive department listed in section 101 of title 5, United States Code, that contains an organization listed in or designated pursuant to section 3(4) of the National Security Act of 1947, as amended (50 U.S.C. 401a(4));

(b) “intelligence activities” has the meaning specified in section 3.4 of Executive Order 12333 of December 4, 1981, as amended; and

(c) “intelligence community” means the organizations listed in or designated pursuant to section 3(4) of the National Security Act of 1947, as amended.

**Sec. 3. *Establishment of the President’s Intelligence Advisory Board.*** (a) There is hereby established, within the Executive Office of the President and exclusively to advise and assist the President as set forth in this order, the President’s Intelligence Advisory Board (PIAB).

(b) The PIAB shall consist of not more than 16 members appointed by the President from among individuals who are not employed by the Federal Government.

(c) The President shall designate a Chair from among the members of the PIAB, who shall convene and preside at meetings of the PIAB, determine its agenda, and direct its work.

(d) Members of the PIAB and the Intelligence Oversight Board (IOB) established in section 5 of this order:

(i) shall serve without any compensation for their work on the PIAB or the IOB; and

(ii) while engaged in the work of the PIAB or the IOB, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government (5 U.S.C. 5701–5707).

(e) The PIAB shall utilize such full-time professional and administrative staff as authorized by the Chair and approved by the President or the President's designee. Such staff shall be supervised by an Executive Director of the PIAB, appointed by the President, whom the President may designate to serve also as the Executive Director of the IOB.

**Sec. 4. *Functions of the PIAB.*** Consistent with the policy set forth in section 1 of this order, the PIAB shall have the authority to, as the PIAB determines appropriate, or shall, when directed by the President:

(a) assess the quality, quantity, and adequacy of intelligence collection, of analysis and estimates, and of counterintelligence and other intelligence activities, assess the adequacy of management, personnel and organization in the intelligence community, and review the performance of all agencies of the Federal Government that are engaged in the collection, evaluation, or production of intelligence or the execution of intelligence policy and report the results of such assessments or reviews:

(i) to the President, as necessary but not less than twice each year; and

(ii) to the Director of National Intelligence (DNI) and the heads of departments concerned when the PIAB determines appropriate; and

(b) consider and make appropriate recommendations to the President, the DNI, or the head of the department concerned with respect to matters identified to the PIAB by the DNI or the head of a department concerned.

**Sec. 5. *Establishment of Intelligence Oversight Board.***

(a) There is hereby established a committee of the PIAB to be known as the Intelligence Oversight Board.

(b) The IOB shall consist of not more than five members of the PIAB who are designated by the President from among members of the PIAB to serve on the IOB. The IOB shall utilize such full-time professional and administrative staff as authorized by the Chair and approved by the President or the President's designee. Such staff shall be supervised by an Executive Director of the IOB, appointed by the President, whom the President may designate to serve also as the Executive Director of the PIAB.

(c) The President shall designate a Chair from among the members of the IOB, who shall convene and preside at meetings of the IOB, determine its agenda, and direct its work.

**Sec. 6. *Functions of the IOB.*** Consistent with the policy set forth in section 1 of this order, the IOB shall:

(a) issue criteria on the thresholds for reporting matters to the IOB, to the extent consistent with section 1.7(d) of Executive Order 12333 or the corresponding provision of any successor order;

(b) inform the President of intelligence activities that the IOB believes:

(i)(A) may be unlawful or contrary to Executive Order or presidential directive; and

(B) are not being adequately addressed by the Attorney General, the DNI, or the head of the department concerned; or

(ii) should be immediately reported to the President.

(c) review and assess the effectiveness, efficiency, and sufficiency of the processes by which the DNI and the heads of departments concerned perform their respective functions under this order and report thereon as necessary, together with any recommendations, to the President and, as appropriate, the DNI and the head of the department concerned;

(d) receive and review information submitted by the DNI under subsection 7(c) of this order and make recommendations thereon, including for any needed corrective action, with respect to such information, and the intelligence activities to which the information relates, as necessary, but not less than twice each year, to the President, the DNI, and the head of the department concerned; and

(e) conduct, or request that the DNI or the head of the department concerned, as appropriate, carry out and report to the IOB the results of, investigations of intelligence activities that the IOB determines are necessary to enable the IOB to carry out its functions under this order.

**Sec. 7. *Functions of the Director of National Intelligence.*** Consistent with the policy set forth in section 1 of this order, the DNI shall:

(a) with respect to guidelines applicable to organizations within the intelligence community that concern reporting of intelligence activities described in subsection 6(b)(i)(A) of this order:

(i) review and ensure that such guidelines are consistent with section 1.7(d) of Executive Order 12333, or a corresponding provision of any successor order, and this order; and

(ii) issue for incorporation in such guidelines instructions relating to the format and schedule of such reporting as necessary to implement this order;

(b) with respect to intelligence activities described in subsection 6(b)(i)(A) of this order:

(i) receive reports submitted to the IOB pursuant to section 1.7(d) of Executive Order 12333, or a corresponding provision of any successor order;

(ii) forward to the Attorney General information in such reports relating to such intelligence activities to the extent that such activities involve possible violations of Federal criminal laws or implicate the authority of the Attorney General unless the DNI or the head of the department concerned has previously provided such information to the Attorney General; and

(iii) monitor the intelligence community to ensure that the head of the department concerned has directed needed corrective actions and that such actions have been taken and report to the IOB and the head of the department concerned, and as appropriate the President, when such actions have not been timely taken; and

(c) submit to the IOB as necessary and no less than twice each year:

(i) an analysis of the reports received under subsection (b)(i) of this section, including an assessment of the gravity, frequency, trends, and patterns of occurrences of intelligence activities described in subsection 6(b)(i)(A) of this order;



(ii) a summary of direction under subsection (b)(iii) of this section and any related recommendations; and

(iii) an assessment of the effectiveness of corrective action taken by the DNI or the head of the department concerned with respect to intelligence activities described in subsection 6(b)(i)(A) of this order.

**Sec. 8. *Functions of Heads of Departments Concerned and Additional Functions of the Director of National Intelligence.***

(a) To the extent permitted by law, the DNI and the heads of departments concerned shall provide such information and assistance as the PIAB and the IOB may need to perform functions under this order.

(b) The heads of departments concerned shall:

(i) ensure that the DNI receives:

(A) copies of reports submitted to the IOB pursuant to section 1.7(d) of Executive Order 12333, or a corresponding provision of any successor order; and

(B) such information and assistance as the DNI may need to perform functions under this order; and

(ii) designate the offices within their respective organizations that shall submit reports to the IOB required by Executive Order and inform the DNI and the IOB of such designations; and

(iii) ensure that departments concerned comply with instructions issued by the DNI under subsection 7(a)(ii) of this order.

(c) The head of a department concerned who does not implement a recommendation to that head of department from the PIAB under subsection 4(b) of this order or from the IOB under subsections 6(c) or 6(d) of this order shall promptly report through the DNI to the Board that made the recommendation, or to the President, the reasons for not implementing the recommendation.

(d) The DNI shall ensure that the Director of the Central Intelligence Agency performs the functions with respect to the Central Intelligence Agency under this order that a head of a department concerned performs with respect to organizations within the intelligence community that are part of that department.

**Sec. 9. *References and Transition.*** (a) References in Executive Orders other than this order, or in any other presidential guidance, to the “President’s Foreign Intelligence Advisory Board” shall be deemed to be references to the President’s Intelligence Advisory Board established by this order.

(b) Individuals who are members of the President’s Foreign Intelligence Advisory Board under Executive Order 12863 of September 13, 1993, as amended, immediately prior to the signing of this order shall be members of the President’s Intelligence Advisory Board immediately upon the signing of this order, to serve as such consistent with this order until the date that is 15 months following the date of this order.

(c) Individuals who are members of the Intelligence Oversight Board under Executive Order 12863 immediately prior to the signing of this order shall be members of the Intelligence Oversight Board under this order, to serve

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as such consistent with this order until the date that is 15 months following the date of this order.

(d) The individual serving as Executive Director of the President's Foreign Intelligence Advisory Board immediately prior to the signing of this order shall serve as the Executive Director of the PIAB until such person resigns, dies, or is removed, or upon appointment of a successor under this order and shall serve as the Executive Director of the IOB until an Executive Director of the IOB is appointed or designated under this order.

**Sec. 10. Revocation.** Executive Order 12863 is revoked.

**Sec. 11. General Provisions.**

(a) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to a department or agency, or the head thereof; or

(ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) Any person who is a member of the PIAB or IOB, or who is granted access to classified national security information in relation to the activities of the PIAB or the IOB, as a condition of access to such information, shall sign and comply with the agreements to protect such information from unauthorized disclosure. This order shall be implemented in a manner consistent with Executive Order 12958 of April 17, 1995, as amended, and Executive Order 12968 of August 2, 1995, as amended.

(c) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(d) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
February 29, 2008.

**Executive Order 13463 of April 18, 2008****Amending Executive Orders 13389 and 13390**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. 5121–5206), it is hereby ordered as follows:

**Section 1.** Executive Order 13389 of November 1, 2005, as amended, is further amended:

(a) in subsection 2(a), by striking “Economic Policy” and inserting in lieu thereof “Homeland Security and Counterterrorism”; and

(b) in section 5, by striking “3 years from the date of this order” and inserting in lieu thereof “February 28, 2009”.

**Sec. 2.** Subsection 5(b) of Executive Order 13390 of November 1, 2005, is amended:

- (a) by striking the comma after “applicable law” and inserting “and”; and
- (b) striking “3 years from the date of this order” and inserting in lieu thereof “February 28, 2009”.

GEORGE W. BUSH

The White House,  
*April 18, 2008.*

#### Executive Order 13464 of April 30, 2008

### Blocking Property and Prohibiting Certain Transactions Related to Burma

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61, as amended, 50 U.S.C. 1701 note), and section 301 of title 3, United States Code, and in order to take additional steps with respect to the Government of Burma’s continued repression of the democratic opposition in Burma, and with respect to the national emergency declared in Executive Order 13047 of May 20, 1997, relied upon for additional steps taken in Executive Order 13310 of July 28, 2003, and expanded in Executive Order 13448 of October 18, 2007,

I, GEORGE W. BUSH, President of the United States of America, hereby order:

**Section 1.** Except to the extent provided in section 203(b)(1), (3), and (4) of IEEPA (50 U.S.C. 1702(b)(1), (3), and (4)), the Trade Sanctions Reform and Export Enhancement Act of 2000 (title IX, Public Law 106–387), or regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order, all property and interests in property of the following persons that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, including their overseas branches, are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

- (a) the persons listed in the Annex attached and made a part of this order; and
- (b) any person determined by the Secretary of the Treasury, after consultation with the Secretary of State:
  - (i) to be owned or controlled by, directly or indirectly, the Government of Burma or an official or officials of the Government of Burma;

(ii) to have materially assisted, sponsored, or provided financial, material, logistical, or technical support for, or goods or services in support of, the Government of Burma, the State Peace and Development Council of Burma, the Union Solidarity and Development Association of Burma, any successor entity to any of the foregoing, any senior official of any of the foregoing, or any person whose property and interests in property are blocked pursuant to Executive Order 13310, Executive Order 13448, or this order; or

(iii) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to Executive Order 13310, Executive Order 13448, or this order.

**Sec. 2.** (a) Any transaction by a United States person or within the United States that evades or avoids, has the purpose of evading or avoiding, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

**Sec. 3.** For purposes of this order:

(a) the term “person” means an individual or entity;

(b) the term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(c) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States; and

(d) the term “Government of Burma” means the Government of Burma (sometimes referred to as Myanmar), its agencies, instrumentalities and controlled entities, and the Central Bank of Burma.

**Sec. 4.** I hereby determine that the making of donations of the type specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of, persons whose property and interests in property are blocked pursuant to section 1 of this order would seriously impair my ability to deal with the national emergency declared in Executive Order 13047, relied upon for additional steps taken in Executive Order 13310, and expanded in Executive Order 13448, and hereby prohibit such donations as provided by section 1 of this order.

**Sec. 5.** For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13047, relied upon for additional steps taken in Executive Order 13310, and expanded in Executive Order 13448, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

**Sec. 6.** The Secretary of the Treasury, after consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and section 4 of the Burmese Freedom and Democracy Act of 2003 as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government consistent with applicable law. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

**Sec. 7.** The Secretary of the Treasury, after consultation with the Secretary of State, is hereby authorized to determine, and to take necessary action to give effect to that determination, that circumstances no longer warrant the blocking of the property and interests in property of, or the prohibiting of transactions with, a person listed in the Annex to this order.

**Sec. 8.** Nothing in this order is intended to affect the continued effectiveness of any rules, regulations, orders, licenses, or other forms of administrative action issued, taken, or continued in effect heretofore or hereafter under 31 C.F.R. chapter V, except as expressly terminated, modified, or suspended by or pursuant to this order.

**Sec. 9.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

**Sec. 10.** This order is effective at 12:01 a.m. eastern daylight time on May 1, 2008.

GEORGE W. BUSH

The White House,  
*April 30, 2008.*

**Annex**

1. Myanmar Gem Enterprise (a.k.a. Myanma Gem Enterprise; MGE); Yangon, Burma
2. Myanmar Timber Enterprise (a.k.a. Myanma Timber Enterprise; MTE); Yangon, Burma
3. Myanmar Pearl Enterprise (a.k.a. Myanma Pearl Enterprise; MPE); Naypyitaw, Burma

Note: The bracketed identifying information with respect to each individual and entity listed in this Annex reflects information currently available and is provided solely to facilitate compliance with this order. Each individual listed in this Annex remains subject to the prohibitions of this order notwithstanding any change in title, position, or affiliation.

Executive Order 13465 of June 6, 2008

### Amending Executive Order 12989, as Amended

By the authority vested in me as President by the Constitution and the laws of the United States of America, including subsection 121(a) of title 40 and section 301 of title 3, United States Code, and in order to take further steps to promote economy and efficiency in Federal Government procurement, it is hereby ordered as follows:

**Section 1.** Executive Order 12989 of February 13, 1996, as amended, is further amended:

(a) by striking the title and inserting in lieu thereof “Economy and Efficiency in Government Procurement Through Compliance with Certain Immigration and Nationality Act Provisions and Use of an Electronic Employment Eligibility Verification System”; and

(b) by striking the material that follows the title and precedes section 1 of the order and inserting in lieu thereof the following:

“This order is designed to promote economy and efficiency in Federal Government procurement. Stability and dependability are important elements of economy and efficiency. A contractor whose workforce is less stable will be less likely to produce goods and services economically and efficiently than a contractor whose workforce is more stable. It is the policy of the executive branch to enforce fully the immigration laws of the United States, including the detection and removal of illegal aliens and the imposition of legal sanctions against employers that hire illegal aliens. Because of the worksite enforcement policy of the United States and the underlying obligation of the executive branch to enforce the immigration laws, contractors that employ illegal aliens cannot rely on the continuing availability and service of those illegal workers, and such contractors inevitably will have a less stable and less dependable workforce than contractors that do not employ such persons. Where a contractor assigns illegal aliens to work on Federal contracts, the enforcement of Federal immigration laws imposes a direct risk of disruption, delay, and increased expense in Federal contracting. Such contractors are less dependable procurement sources, even if they do not knowingly hire or knowingly continue to employ unauthorized workers.

“Contractors that adopt rigorous employment eligibility confirmation policies are much less likely to face immigration enforcement actions, because they are less likely to employ unauthorized workers, and they are therefore generally more efficient and dependable procurement sources than contractors that do not employ the best available measures to verify the work eligibility of their workforce. It is the policy of the executive branch to use an electronic employment verification system because, among other reasons, it provides the best available means to confirm the identity and work eligibility of all employees that join the Federal workforce. Private employers that choose to contract with the Federal Government should meet the same standard.

“I find, therefore, that adherence to the general policy of contracting only with providers that do not knowingly employ unauthorized alien workers

and that have agreed to utilize an electronic employment verification system designated by the Secretary of Homeland Security to confirm the employment eligibility of their workforce will promote economy and efficiency in Federal procurement.

“NOW, THEREFORE, to ensure the economical and efficient administration and completion of Federal Government contracts, and by the authority vested in me as President by the Constitution and the laws of the United States of America, including subsection 121(a) of title 40 and section 301 of title 3, United States Code, it is hereby ordered as follows:”.

**Sec. 2.** Section 1 of Executive Order 12989, as amended, is further amended by:

- (a) striking the last sentence in subsection 1(a); and
- (b) striking subsection (b) and inserting in lieu thereof the following new subsections:

“(b) It is the policy of the executive branch in procuring goods and services that, to ensure the economical and efficient administration and completion of Federal Government contracts, contracting agencies may not enter into contracts with employers that do not use the best available means to confirm the work authorization of their workforce.

“(c) It is the policy of the executive branch to enforce fully the anti-discrimination provisions of the INA. Nothing in this order relieves employers of antidiscrimination obligations under section 274B of the INA (8 U.S.C. 1324b) or any other law.

“(d) All discretion under this order shall be exercised consistent with the policies set forth in this section.”.

**Sec. 3.** Section 5 of Executive Order 12989, as amended, is further amended to read as follows:

“**Sec. 5.** (a) Executive departments and agencies that enter into contracts shall require, as a condition of each contract, that the contractor agree to use an electronic employment eligibility verification system designated by the Secretary of Homeland Security to verify the employment eligibility of: (i) all persons hired during the contract term by the contractor to perform employment duties within the United States; and (ii) all persons assigned by the contractor to perform work within the United States on the Federal contract.

“(b) The Secretary of Homeland Security:

“(i) shall administer, maintain, and modify as necessary and appropriate the electronic employment eligibility verification system designated by the Secretary under subsection (a) of this section; and

“(ii) may establish with respect to such electronic employment verification system:

“(A) terms and conditions for use of the system; and

“(B) procedures for monitoring the use, failure to use, or improper use of the system.

“(c) The Secretary of Defense, the Administrator of General Services, and the Administrator of the National Aeronautics and Space Administration shall amend the Federal Acquisition Regulation to the extent necessary

and appropriate to implement the debarment responsibility, the employment eligibility verification responsibility, and other related responsibilities assigned to heads of departments and agencies under this order.

“(d) Except to the extent otherwise specified by law or this order, the Secretary of Homeland Security and the Attorney General:

“(i) shall administer and enforce this order; and

“(ii) may, after consultation to the extent appropriate with the Secretary of Defense, the Secretary of Labor, the Administrator of General Services, the Administrator of the National Aeronautics and Space Administration, the Administrator for Federal Procurement Policy, and the heads of such other departments or agencies as may be appropriate, issue such rules, regulations, or orders, or establish such requirements, as may be necessary and appropriate to implement this order.”.

**Sec. 4.** Section 7 of Executive Order 12989, as amended, is amended by striking “respective agencies” and inserting in lieu thereof “respective departments or agencies”.

**Sec. 5.** Section 8 of Executive Order 12989, as amended, is amended to read as follows:

“**Sec. 8.** (a) This order shall be implemented in a manner intended to minimize the burden on participants in the Federal procurement process.

“(b) This order shall be implemented in a manner consistent with the protection of intelligence and law enforcement sources, methods, and activities from unauthorized disclosure.”.

**Sec. 6.** Section 9 of Executive Order 12989, as amended, is amended to read as follows:

“**Sec. 9.** (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to a department or agency or the head thereof; or

(ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

“(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

“(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies or entities, its officers, employees, or agents, or any other person.”.

**Sec. 7.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,

June 6, 2008.



Executive Order 13466 of June 26, 2008

### Continuing Certain Restrictions With Respect to North Korea and North Korean Nationals

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), and section 301 of title 3, United States Code,

I, GEORGE W. BUSH, President of the United States of America, find that the current existence and risk of the proliferation of weapons-usable fissile material on the Korean Peninsula constitute an unusual and extraordinary threat to the national security and foreign policy of the United States, and I hereby declare a national emergency to deal with that threat. I further find that, as we deal with that threat through multilateral diplomacy, it is necessary to continue certain restrictions with respect to North Korea that would otherwise be lifted pursuant to a forthcoming proclamation that will terminate the exercise of authorities under the Trading With the Enemy Act (50 U.S.C. App. 1 *et seq.*) (TWEA) with respect to North Korea.

Accordingly, I hereby order:

**Section 1.** Except to the extent provided in statutes or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order, the following are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

all property and interests in property of North Korea or a North Korean national that, pursuant to the President's authorities under the TWEA, the exercise of which has been continued in accordance with section 101(b) of Public Law 95-223 (91 Stat. 1625; 50 U.S.C. App. 5(b) note), were blocked as of June 16, 2000, and remained blocked immediately prior to the date of this order.

**Sec. 2.** Except to the extent provided in statutes or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order, United States persons may not register a vessel in North Korea, obtain authorization for a vessel to fly the North Korean flag, or own, lease, operate, or insure any vessel flagged by North Korea.

**Sec. 3.** (a) Any transaction by a United States person or within the United States that evades or avoids, has the purpose of evading or avoiding, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

**Sec. 4.** For the purposes of this order:

(a) the term "person" means an individual or entity;

(b) the term "entity" means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization; and

(c) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.

**Sec. 5.** The Secretary of the Treasury, after consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government consistent with applicable law. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

**Sec. 6.** The Secretary of the Treasury, after consultation with the Secretary of State, is hereby authorized to submit the recurring and final reports to the Congress on the national emergency declared in this order, consistent with section 401(c) of the NEA (50 U.S.C. 1641(c)) and section 204(c) of IEEPA (50 U.S.C. 1703(c)).

**Sec. 7.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,  
*June 26, 2008.*

#### Executive Order 13467 of June 30, 2008

### **Reforming Processes Related to Suitability for Government Employment, Fitness for Contractor Employees, and Eligibility for Access to Classified National Security Information**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to ensure an efficient, practical, reciprocal, and aligned system for investigating and determining suitability for Government employment, contractor employee fitness, and eligibility for access to classified information, while taking appropriate account of title III of Public Law 108–458, it is hereby ordered as follows:

#### PART 1—POLICY, APPLICABILITY, AND DEFINITIONS

**Section 1.1. Policy.** Executive branch policies and procedures relating to suitability, contractor employee fitness, eligibility to hold a sensitive position, access to federally controlled facilities and information systems, and eligibility for access to classified information shall be aligned using consistent standards to the extent possible, provide for reciprocal recognition,

and shall ensure cost-effective, timely, and efficient protection of the national interest, while providing fair treatment to those upon whom the Federal Government relies to conduct our Nation's business and protect national security.

**Sec. 1.2. *Applicability.*** (a) This order applies to all covered individuals as defined in section 1.3(g), except that:

- (i) the provisions regarding eligibility for physical access to federally controlled facilities and logical access to federally controlled information systems do not apply to individuals exempted in accordance with guidance pursuant to the Federal Information Security Management Act (title III of Public Law 107-347) and Homeland Security Presidential Directive 12; and
- (ii) the qualification standards for enlistment, appointment, and induction into the Armed Forces pursuant to title 10, United States Code, are unaffected by this order.

(b) This order also applies to investigations and determinations of eligibility for access to classified information for employees of agencies working in or for the legislative or judicial branches when those investigations or determinations are conducted by the executive branch.

**Sec. 1.3. *Definitions.*** For the purpose of this order: (a) "Adjudication" means the evaluation of pertinent data in a background investigation, as well as any other available information that is relevant and reliable, to determine whether a covered individual is:

- (i) suitable for Government employment;
- (ii) eligible for logical and physical access;
- (iii) eligible for access to classified information;
- (iv) eligible to hold a sensitive position; or
- (v) fit to perform work for or on behalf of the Government as a contractor employee.

(b) "Agency" means any "Executive agency" as defined in section 105 of title 5, United States Code, including the "military departments," as defined in section 102 of title 5, United States Code, and any other entity within the executive branch that comes into possession of classified information or has designated positions as sensitive, except such an entity headed by an officer who is not a covered individual.

(c) "Classified information" means information that has been determined pursuant to Executive Order 12958 of April 17, 1995, as amended, or a successor or predecessor order, or the Atomic Energy Act of 1954 (42 U.S.C. 2011 *et seq.*) to require protection against unauthorized disclosure.

(d) "Continuous evaluation" means reviewing the background of an individual who has been determined to be eligible for access to classified information (including additional or new checks of commercial databases, Government databases, and other information lawfully available to security officials) at any time during the period of eligibility to determine whether that individual continues to meet the requirements for eligibility for access to classified information.

(e) “Contractor” means an expert or consultant (not appointed under section 3109 of title 5, United States Code) to an agency; an industrial or commercial contractor, licensee, certificate holder, or grantee of any agency, including all subcontractors; a personal services contractor; or any other category of person who performs work for or on behalf of an agency (but not a Federal employee).

(f) “Contractor employee fitness” means fitness based on character and conduct for work for or on behalf of the Government as a contractor employee.

(g) “Covered individual” means a person who performs work for or on behalf of the executive branch, or who seeks to perform work for or on behalf of the executive branch, but does not include:

(i) the President or (except to the extent otherwise directed by the President) employees of the President under section 105 or 107 of title 3, United States Code; or

(ii) the Vice President or (except to the extent otherwise directed by the Vice President) employees of the Vice President under section 106 of title 3 or annual legislative branch appropriations acts.

(h) “End-to-end automation” means an executive branch-wide federated system that uses automation to manage and monitor cases and maintain relevant documentation of the application (but not an employment application), investigation, adjudication, and continuous evaluation processes.

(i) “Federally controlled facilities” and “federally controlled information systems” have the meanings prescribed in guidance pursuant to the Federal Information Security Management Act (title III of Public Law 107–347) and Homeland Security Presidential Directive 12.

(j) “Logical and physical access” means access other than occasional or intermittent access to federally controlled facilities or information systems.

(k) “Sensitive position” means any position so designated under Executive Order 10450 of April 27, 1953, as amended.

(l) “Suitability” has the meaning and coverage provided in 5 CFR Part 731.

#### PART 2—ALIGNMENT, RECIPROCITY, AND GOVERNANCE

**Sec. 2.1. *Aligned System.*** (a) Investigations and adjudications of covered individuals who require a determination of suitability, eligibility for logical and physical access, eligibility to hold a sensitive position, eligibility for access to classified information, and, as appropriate, contractor employee fitness, shall be aligned using consistent standards to the extent possible. Each successively higher level of investigation and adjudication shall build upon, but not duplicate, the ones below it.

(b) The aligned system shall employ updated and consistent standards and methods, enable innovations with enterprise information technology capabilities and end-to-end automation to the extent practicable, and ensure that relevant information maintained by agencies can be accessed and shared rapidly across the executive branch, while protecting national security, protecting privacy-related information, ensuring resulting decisions are in the national interest, and providing the Federal Government with an effective workforce.

(c) Except as otherwise authorized by law, background investigations and adjudications shall be mutually and reciprocally accepted by all agencies.

An agency may not establish additional investigative or adjudicative requirements (other than requirements for the conduct of a polygraph examination consistent with law, directive, or regulation) that exceed the requirements for suitability, contractor employee fitness, eligibility for logical or physical access, eligibility to hold a sensitive position, or eligibility for access to classified information without the approval of the Suitability Executive Agent or Security Executive Agent, as appropriate, and provided that approval to establish additional requirements shall be limited to circumstances where additional requirements are necessary to address significant needs unique to the agency involved or to protect national security.

**Sec. 2.2. *Establishment and Functions of Performance Accountability Council.*** (a) There is hereby established a Suitability and Security Clearance Performance Accountability Council (Council).

(b) The Deputy Director for Management, Office of Management and Budget, shall serve as Chair of the Council and shall have authority, direction, and control over the Council's functions. Membership on the Council shall include the Suitability Executive Agent and the Security Executive Agent. The Chair shall select a Vice Chair to act in the Chair's absence. The Chair shall have authority to designate officials from additional agencies who shall serve as members of the Council. Council membership shall be limited to Federal Government employees and shall include suitability and security professionals.

(c) The Council shall be accountable to the President to achieve, consistent with this order, the goals of reform, and is responsible for driving implementation of the reform effort, ensuring accountability by agencies, ensuring the Suitability Executive Agent and the Security Executive Agent align their respective processes, and sustaining reform momentum.

(d) The Council shall:

- (i) ensure alignment of suitability, security, and, as appropriate, contractor employee fitness investigative and adjudicative processes;
- (ii) hold agencies accountable for the implementation of suitability, security, and, as appropriate, contractor employee fitness processes and procedures;
- (iii) establish requirements for enterprise information technology;
- (iv) establish annual goals and progress metrics and prepare annual reports on results;
- (v) ensure and oversee the development of tools and techniques for enhancing background investigations and the making of eligibility determinations;
- (vi) arbitrate disparities in procedures between the Suitability Executive Agent and the Security Executive Agent;
- (vii) ensure sharing of best practices; and
- (viii) advise the Suitability Executive Agent and the Security Executive Agent on policies affecting the alignment of investigations and adjudications.

(e) The Chair may, to ensure the effective implementation of the policy set forth in section 1.1 of this order and to the extent consistent with law, assign, in whole or in part, to the head of any agency (solely or jointly) any

function within the Council's responsibility relating to alignment and improvement of investigations and determinations of suitability, contractor employee fitness, eligibility for logical and physical access, eligibility for access to classified information, or eligibility to hold a sensitive position.

**Sec. 2.3. *Establishment, Designation, and Functions of Executive Agents.*** (a) There is hereby established a Suitability Executive Agent and a Security Executive Agent.

(b) The Director of the Office of Personnel Management shall serve as the Suitability Executive Agent. As the Suitability Executive Agent, the Director of the Office of Personnel Management will continue to be responsible for developing and implementing uniform and consistent policies and procedures to ensure the effective, efficient, and timely completion of investigations and adjudications relating to determinations of suitability and eligibility for logical and physical access.

(c) The Director of National Intelligence shall serve as the Security Executive Agent. The Security Executive Agent:

(i) shall direct the oversight of investigations and determinations of eligibility for access to classified information or eligibility to hold a sensitive position made by any agency;

(ii) shall be responsible for developing uniform and consistent policies and procedures to ensure the effective, efficient, and timely completion of investigations and adjudications relating to determinations of eligibility for access to classified information or eligibility to hold a sensitive position;

(iii) may issue guidelines and instructions to the heads of agencies to ensure appropriate uniformity, centralization, efficiency, effectiveness, and timeliness in processes relating to determinations by agencies of eligibility for access to classified information or eligibility to hold a sensitive position;

(iv) shall serve as the final authority to designate an agency or agencies to conduct investigations of persons who are proposed for access to classified information to ascertain whether such persons satisfy the criteria for obtaining and retaining access to classified information or eligibility to hold a sensitive position;

(v) shall serve as the final authority to designate an agency or agencies to determine eligibility for access to classified information in accordance with Executive Order 12968 of August 2, 1995;

(vi) shall ensure reciprocal recognition of eligibility for access to classified information among the agencies, including acting as the final authority to arbitrate and resolve disputes among the agencies involving the reciprocity of investigations and determinations of eligibility for access to classified information or eligibility to hold a sensitive position; and

(vii) may assign, in whole or in part, to the head of any agency (solely or jointly) any of the functions detailed in (i) through (vi), above, with the agency's exercise of such assigned functions to be subject to the Security Executive Agent's oversight and with such terms and conditions (including approval by the Security Executive Agent) as the Security Executive Agent determines appropriate.

(d) Nothing in this order shall be construed in a manner that would limit the authorities of the Director of the Office of Personnel Management or the Director of National Intelligence under law.

**Sec. 2.4. Additional Functions.** (a) The duties assigned to the Security Policy Board by Executive Order 12968 of August 2, 1995, to consider, coordinate, and recommend policy directives for executive branch security policies, procedures, and practices are reassigned to the Security Executive Agent.

(b) Heads of agencies shall:

(i) carry out any function assigned to the agency head by the Chair, and shall assist the Chair, the Council, the Suitability Executive Agent, and the Security Executive Agent in carrying out any function under sections 2.2 and 2.3 of this order;

(ii) implement any policy or procedure developed pursuant to this order;

(iii) to the extent permitted by law, make available to the Performance Accountability Council, the Suitability Executive Agent, or the Security Executive Agent such information as may be requested to implement this order;

(iv) ensure that all actions taken under this order take account of the counterintelligence interests of the United States, as appropriate; and

(v) ensure that actions taken under this order are consistent with the President's constitutional authority to:

(A) conduct the foreign affairs of the United States;

(B) withhold information the disclosure of which could impair the foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive's constitutional duties;

(C) recommend for congressional consideration such measures as the President may judge necessary or expedient; and

(D) supervise the unitary executive branch.

#### PART 3—MISCELLANEOUS

**Sec. 3. General Provisions.** (a) Executive Order 13381 of June 27, 2005, as amended, is revoked. Nothing in this order shall:

(i) supersede, impede, or otherwise affect:

(A) Executive Order 10450 of April 27, 1953, as amended;

(B) Executive Order 10577 of November 23, 1954, as amended;

(C) Executive Order 12333 of December 4, 1981, as amended;

(D) Executive Order 12829 of January 6, 1993, as amended; or

(E) Executive Order 12958 of April 17, 1995, as amended; nor

(ii) diminish or otherwise affect the denial and revocation procedures provided to individuals covered by Executive Order 10865 of February 20, 1960, as amended.

(b) Executive Order 12968 of August 2, 1995 is amended:

(i) by inserting: “**Sec. 3.5. Continuous Evaluation.** An individual who has been determined to be eligible for or who currently has access to classified information shall be subject to continuous evaluation under standards (including, but not limited to, the frequency of such evaluation) as determined by the Director of National Intelligence.”; and

- (ii) by striking “the Security Policy Board shall make recommendations to the President through the Assistant to the President for National Security Affairs” in section 6.3(a) and inserting in lieu thereof “the Director of National Intelligence shall serve as the final authority”;
  - (iii) by striking “Security Policy Board” and inserting in lieu thereof “Security Executive Agent” in each instance;
  - (iv) by striking “the Board” in section 1.1(j) and inserting in lieu thereof “the Security Executive Agent”; and
  - (v) by inserting “or appropriate automated procedures” in section 3.1(b) after “by appropriately trained adjudicative personnel”.
- (c) Nothing in this order shall supersede, impede, or otherwise affect the remainder of Executive Order 12968 of August 2, 1995, as amended.
- (d) Executive Order 12171 of November 19, 1979, as amended, is further amended by striking “The Center for Federal Investigative Services” in section 1–216 and inserting in lieu thereof “The Federal Investigative Services Division.”
- (e) Nothing in this order shall be construed to impair or otherwise affect the:
- (i) authority granted by law to a department or agency, or the head thereof; or
  - (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.
- (f) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (g) Existing delegations of authority made pursuant to Executive Order 13381 of June 27, 2005, as amended, to any agency relating to granting eligibility for access to classified information and conducting investigations shall remain in effect, subject to the exercise of authorities pursuant to this order to revise or revoke such delegation.
- (h) If any provision of this order or the application of such provision is held to be invalid, the remainder of this order shall not be affected.
- (i) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,  
*June 30, 2008.*



Executive Order 13468 of July 24, 2008

### **2008 Amendments to the Manual for Courts-Martial, United States**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including chapter 47 of title 10, United States Code (Uniform Code of Military Justice, 10 U.S.C. 801–946), and in order to prescribe amendments to the Manual for Courts-Martial, United States, prescribed by Executive Order 12473 of April 13, 1984, as amended, it is hereby ordered as follows:

**Section 1.** Parts II and IV of the Manual for Courts- Martial, United States, are amended as described in the Annex attached and made a part of this order.

**Sec. 2.** These amendments shall take effect 30 days from the date of this order.

(a) Nothing in these amendments shall be construed to make punishable any act done or omitted prior to the effective date of this order that was not punishable when done or omitted.

(b) Nothing in these amendments shall be construed to invalidate any non-judicial punishment proceedings, restraint, investigation, referral of charges, trial in which arraignment occurred, or other action begun prior to the effective date of this order, and any such nonjudicial punishment, restraint, investigation, referral of charges, trial, or other action may proceed in the same manner and with the same effect as if these amendments had not been prescribed.

GEORGE W. BUSH

The White House,  
*July 24, 2008.*

## ANNEX

Section 1. Part II of the Manual for Courts-Martial, United States, is amended as follows:

(a) R.C.M. 103 is amended by adding the following subparagraph (20) and re-designating the current subparagraph (20) as subparagraph (21):

"(20) "Writing" includes printing and typewriting and reproductions of visual symbols by handwriting, typewriting, printing, photostating, photographing, magnetic impulse, optical or electronic recording, or other form of data communication."

(b) R.C.M. 405(h)(3) is amended to read as follows:

"(3) *Access by spectators.* Access by spectators to all or part of the proceedings may be restricted or foreclosed in the discretion of the commander who directed the investigation or the investigating officer. Article 32 investigations are public hearings and should remain open to the public whenever possible. When an overriding interest exists that outweighs the value of an open investigation, the hearing may be closed to spectators. Any closure must be narrowly tailored to achieve the overriding interest that justified the closure. Commander or investigating officers must conclude that no lesser methods short of closing the Article 32 investigation can be used to protect the overriding interest in the case. Commanders or investigating officers must conduct a case-by-case, witness-by-witness, circumstance-by-circumstance analysis of whether closure is necessary. If a commander or investigating officer believes closing the Article 32 investigation is necessary, the commander or investigating officer must make specific findings of fact in writing that

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support the closure. The written findings of fact must be included in the Article 32 investigating officer's report. Examples of overriding interests may include: preventing psychological harm or trauma to a child witness or an alleged victim of a sexual crime, protecting the safety of a witness or alleged victim, protecting classified material, and receiving evidence where a witness is incapable of testifying in an open setting."

(c) R.C.M. 1103(b)(2)(B) is amended to read as follows:

"(B) *Verbatim transcript required.* Except as otherwise provided in subsection (j) of this rule, the record of trial shall include a verbatim transcript of all sessions except sessions closed for deliberations and voting when:"

(d) R.C.M. 1103(e) is amended to read as follows:

"(e) *Acquittal; courts-martial resulting in findings of not guilty only by reason of lack of mental responsibility; termination prior to findings; termination after findings.* Notwithstanding subsections (b), (c), and (d) of this rule, if proceedings resulted in an acquittal of all charges and specifications or in a finding of not guilty only by reason of lack of mental responsibility of all charges and specifications, or if the proceedings were terminated by withdrawal, mistrial, or dismissal before findings, or if the proceedings were terminated after findings by approval of an administrative discharge in lieu of court-martial, the record may consist of the original charge sheet, a copy of the convening order and amending orders (if any), and sufficient information to establish jurisdiction over the accused and the offenses (if not shown on the charge sheet). The convening authority or higher authority may prescribe additional requirements."

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(e) R.C.M. 1103(g)(1)(A) is amended to read as follows:

"(A) *In general.* In general and special courts-martial that require a verbatim transcript under subsections (b) or (c) of this rule and are subject to a review by a Court of Criminal Appeals under Article 66, the trial counsel shall cause to be prepared an original record of trial."

(f) R.C.M. 1103(j)(2) is amended to read as follows:

"(2) *Preparation of written record.* When the court-martial, or any part of it, is recorded by videotape, audiotape, or similar material under subsection (j)(1) of this rule, a transcript or summary in writing (as defined in R.C.M. 103), as required in subsection (b)(2)(A), (b)(2)(B), (b)(2)(C), or (c) of this rule, as appropriate, shall be prepared in accordance with this rule and R.C.M. 1104 before the record is forwarded under R.C.M. 1104(e), unless military exigencies prevent transcription."

(g) R.C.M. 1104(a)(1) is amended to read as follows:

"(1) *In general.* A record is authenticated by the signature of a person specified in this rule who thereby declares that the record accurately reports the proceedings. An electronic record of trial may be authenticated with the electronic signature of the military judge or other authorized person. Service of an authenticated electronic copy of the record of trial with a means to review the record of trial satisfies the requirement of service under R.C.M. 1105(c) and 1305(d). No person may be required to authenticate a record of trial if that person is not satisfied that it accurately reports the proceedings."

(h) R.C.M. 1106(d) is amended to read as follows:

"(d) *Form and content of recommendation.*

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(1) The purpose of the recommendation of the staff judge advocate or legal officer is to assist the convening authority to decide what action to take on the sentence in the exercise of command prerogative. The staff judge advocate or legal officer shall use the record of trial in the preparation of the recommendation, and may also use the personnel records of the accused or other matters in advising the convening authority whether clemency is warranted.

(2) *Form.* The recommendation of the staff judge advocate or legal officer shall be a concise, written communication.

(3) *Required contents.* The staff judge advocate or legal advisor shall provide the convening authority with a copy of the report of results of trial, setting forth the findings, sentence, and confinement credit to be applied, a copy or summary of the pretrial agreement, if any, any recommendation for clemency by the sentencing authority, made in conjunction with the announced sentence, and the staff judge advocate's concise recommendation."

(i) R.C.M. 1111(a)(1) is amended by inserting the following sentence at the end of the rule:

"Forwarding of an authenticated electronic copy of the record of trial satisfies the requirements under this rule."

(j) R.C.M. 1113 is amended by adding the following new subparagraph (d) and re-designating the current subparagraph (d) as subparagraph (e):

"(d) *Self-executing punishments.* Under regulations prescribed by the Secretary concerned, a dishonorable or bad conduct discharge that has been approved by an appropriate convening authority may be self-executing after final judgment at such time as:

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(1) The accused has received a sentence of no confinement or has completed all confinement;

(2) The accused has been placed on excess or appellate leave; and,

(3) The appropriate official has certified that the accused's case is final. Upon completion of the certification, the official shall forward the certification to the accused's personnel office for preparation of a final discharge order and certificate."

(k) R.C.M. 1114(a) is amended by inserting the following as subsection (a)(4):

"(4) *Self-executing final orders.* An order promulgating a self-executing dishonorable or bad conduct discharge need not be issued. The original action by a convening authority approving a discharge and certification by the appropriate official that the case is final may be forwarded to the accused's personnel office for preparation of a discharge order and certificate."

(l) R.C.M. 1305(b) is amended by changing the first sentence to read as follows:

"(b) *Contents.* The summary court-martial shall prepare a written record of trial, which shall include:"

(m) R.C.M. 1305(c) is amended to read as follows:

"(c) *Authentication.* The summary court-martial shall authenticate the record by signing the record of trial. An electronic record of trial may be authenticated with the electronic signature of the summary court-martial."

(n) R.C.M. 1305(d)(1)(A) is amended to read as follows:

"(A) *Service.* The summary court-martial shall cause a copy of the record of trial to be served on the accused as soon as it is authenticated. Service of an authenticated electronic

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copy of the record of trial with a means to review the record of trial satisfies the requirement of service under this rule."

(o) R.C.M. 1306(b)(3) is amended to read as follows:

"(3) *Signature*. The action on the record of trial shall be signed by the convening authority. The action on an electronic record of trial may be signed with the electronic signature of the convening authority."

Sec. 2. Part IV of the Manual for Courts-Martial, United States, is amended as follows:

(a) Paragraph 14, Article 90, Assaulting or willfully disobeying superior commissioned officer, paragraph c.(2)(g) is amended to read as follows:

"c.(2)(g) *Time for compliance*. When an order requires immediate compliance, an accused's declared intent not to obey and the failure to make any move to comply constitutes disobedience. Immediate compliance is required for any order that does not explicitly or implicitly indicate that delayed compliance is authorized or directed. If an order requires performance in the future, an accused's present statement of intention to disobey the order does not constitute disobedience of that order, although carrying out that intention may."

(b) Paragraph 44, Article 119, Manslaughter, paragraph b. is amended to read as follows:

"b. *Elements*.

(1) Voluntary manslaughter.

(a) That a certain named or described person is dead;

(b) That the death resulted from the act or omission of the accused;

(c) That the killing was unlawful; and

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(d) That, at the time of the killing, the accused had the intent to kill or inflict great bodily harm upon the person killed.

(Note: Add the following if applicable)

(e) That the person killed was a child under the age of 16 years.

(2) Involuntary manslaughter.

(a) That a certain named or described person is dead;

(b) That the death resulted from the act or omission of the accused;

(c) That the killing was unlawful; and

(d) That this act or omission of the accused constituted culpable negligence, or occurred while the accused was perpetrating or attempting to perpetrate an offense directly affecting the person other than burglary, sodomy, rape, robbery, or aggravated arson.

(Note: Add the following if applicable)

(e) That the person killed was a child under the age of 16 years."

(c) Paragraph 44, Article 119, Manslaughter, paragraph c.(1)(c) is added following paragraph c.(1)(b):

"(c) *When committed upon a child under 16 years of age.* The maximum punishment is increased when voluntary manslaughter is committed upon a child under 16 years of age. The accused's knowledge that the child was under 16 years of age at the time of the offense is not required for the increased maximum punishment."

(d) Paragraph 44, Article 119, Manslaughter, paragraph c.(2)(c) is added following paragraph c.(2)(b):

"(c) *When committed upon a child under 16 years of age.*



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The maximum punishment is increased when involuntary manslaughter is committed upon a child under 16 years of age. The accused's knowledge that the child was under 16 years of age at the time of the offense is not required for the increased maximum punishment."

(e) Paragraph 44, Article 119, Manslaughter, paragraph e.(3) is added following paragraph e.(2):

"(3) *Voluntary manslaughter of a child under 16 years of age.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 20 years."

(f) Paragraph 44, Article 119, Manslaughter, paragraph e.(4) is added following paragraph e.(3):

"(4) *Involuntary manslaughter of a child under 16 years of age.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 15 years."

(g) Paragraph 44, Article 119, Manslaughter, paragraph f. is amended to read as follows:

"f. *Sample specifications.*

(1) *Voluntary manslaughter.*

In that \_\_\_\_\_ (personal jurisdiction data), did, (at/on board - location) (subject matter jurisdiction data, if required), on or about \_\_\_\_\_, willfully and unlawfully kill \_\_\_\_\_, (a child under 16 years of age) by \_\_\_\_\_ him/her (in) (on) the \_\_\_\_\_ with a \_\_\_\_\_.

(2) *Involuntary manslaughter.*

In that \_\_\_\_\_ (personal jurisdiction data), did, (at/on board location) (subject matter jurisdiction data, if required), on or about \_\_\_\_\_, (by culpable negligence) (while (perpetrating) (attempting to perpetrate) an offense

directly affecting the person of \_\_\_\_\_, to wit:  
 (maiming) (a battery) (\_\_\_\_\_) ) unlawfully kill  
 \_\_\_\_\_ (a child under 16 years of age) by \_\_\_\_\_  
 him/her (in) (on) the \_\_\_\_\_ with a \_\_\_\_\_."

Changes to the Discussion accompanying the Manual for  
 Courts-Martial, United States

(a) The following Discussion is added immediately after  
 R.C.M. 103(20):

"The definition of "writing" includes letters, words,  
 or numbers set down by handwriting, typewriting, printing,  
 photostating, photographing, magnetic impulse, mechanical or  
 electronic recording, or any other form of data compilation.  
 This section makes it clear that computers and other modern  
 reproduction systems are included in this definition, and  
 consistent with the definition of "writing" in Military Rule of  
 Evidence 1001. The definition is comprehensive, covering all  
 forms of writing or recording of words or word-substitutes."

(b) The Discussion immediately following  
 R.C.M. 1103(g)(1)(A) is amended to read as follows:

"An original record of trial includes any record of the  
 proceedings recorded in a form that satisfies the definition of  
 a "writing" in R.C.M. 103. Any requirement to prepare a printed  
 record of trial pursuant to this rule, either in lieu of or in  
 addition to a record of trial recorded or compiled in some other  
 format, including electronic or digital formats, is subject to  
 service regulation."

## Executive Orders

EO 13468

### Changes to Appendix 11, Forms of Sentences

(a) a. is amended to read as follows:

"a. *Announcement of sentence*

*See R.C.M. 1007*

In announcing the sentence, the president or, in cases tried by military judge alone, the military judge should announce:

"(Name of accused), this court-martial sentences you ."

The sentence should now be announced following one of the forms contained in *b* below, or any necessary modification or combination thereof. Each of the forms of punishment prescribed in *b* are separate, that is, the adjudging of one form of punishment is not contingent upon any other punishment also being adjudged. The forms in *b*, however, may be combined and modified so long as the punishments adjudged is not forbidden by the code and does not exceed the maximum authorized by this Manual (*see R.C.M. 1003 and Part IV*) in the particular case being tried. In announcing a sentence consisting of combined punishments, the president or military judge may, for example, state:

"To forfeit all pay and allowances, to be reduced to Private, E-1, to be confined for one year, and to be dishonorably discharged from the service."

"To forfeit \$350.00 pay per month for six months, to be confined for six months, and to be discharged from the service with a bad conduct discharge."

"To forfeit all pay and allowances, to be confined for one year and to be dismissed from the service."

"To forfeit \$250.00 pay per month for one month, and to perform hard labor without confinement for one month.""

**EO 13468**

**Title 3—The President**

Changes to Appendix 12, Maximum Punishment Chart

Appendix 12, the Maximum Punishment Chart, is amended as follows:

(a) in the item relating to Article 119, by inserting after the maximum punishment for involuntary manslaughter:

"Voluntary manslaughter of a child under the age of 16 years

DD, BCD 20 yrs. Total

Involuntary manslaughter of a child under the age of 16 years

DD, BCD 15 yrs. Total"

**Executive Orders**

**EO 13468**

Changes to Appendix 22, Analysis of the Military  
Rules of Evidence

(a) Amend the Analysis accompanying Mil. R. Evid.

801(d)(1)(B) to read as follows:

"Rule 801(d)(1)(B) makes admissible as substantive evidence on the merits a statement consistent with the in-court testimony of the witness and "offered to rebut an express or implied charge against the declarant of recent fabrication or improper influence or motive." Unlike Rule 801(d)(1)(A), the earlier consistent statement need not have been made under oath or at any type of proceeding. On its face, the Rule does not require that the consistent statement offered have been made prior to the time the improper influence or motive arose or prior to the alleged recent fabrication. Notwithstanding this, the Supreme Court has read such a requirement into the rule. *Tome v. United States*, 513 U.S. 150 (1995); see also *United States v. Allison*, 49 M.J. 54 (C.A.A.F. 1998). The limitation does not, however, prevent admission of a consistent statement made after an inconsistent statement but before the improper influence or motive arose. *United States v. Scholle*, 553 F.2d 1109 (8th Cir. 1977). Rule 801(d)(1)(B) provides a possible means to admit evidence of fresh complaint in prosecution of sexual offenses. Although limited to circumstances in which there is a charge, for example, of recent fabrication, the Rule, when applicable, would permit not only fact of fresh complaint, as is presently possible, but also the entire portion of the consistent statement."

Executive Order 13469 of July 25, 2008

### **Blocking Property of Additional Persons Undermining Democratic Processes or Institutions in Zimbabwe**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, GEORGE W. BUSH, President of the United States of America, find that the continued actions and policies of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions, manifested most recently in the fundamentally undemocratic election held on June 27, 2008, to commit acts of violence and other human rights abuses against political opponents, and to engage in public corruption, including by misusing public authority, constitute an unusual and extraordinary threat to the foreign policy of the United States, and to deal with that threat, hereby expand the scope of the national emergency declared in Executive Order 13288 of March 6, 2003, and relied upon for additional steps taken in Executive Order 13391 of November 22, 2005, and hereby order:

**Section 1.** (a) Except to the extent provided by statutes, or provided in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order, all property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, including their overseas branches, of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

Any person determined by the Secretary of the Treasury, after consultation with the Secretary of State:

- (i) to be a senior official of the Government of Zimbabwe;
- (ii) to be owned or controlled by, directly or indirectly, the Government of Zimbabwe or an official or officials of the Government of Zimbabwe;
- (iii) to have engaged in actions or policies to undermine Zimbabwe's democratic processes or institutions;
- (iv) to be responsible for, or to have participated in, human rights abuses related to political repression in Zimbabwe;
- (v) to be engaged in, or to have engaged in, activities facilitating public corruption by senior officials of the Government of Zimbabwe;
- (vi) to be a spouse or dependent child of any person whose property and interests in property are blocked pursuant to Executive Order 13288, Executive Order 13391, or this order;
- (vii) to have materially assisted, sponsored, or provided financial, material, logistical, or technical support for, or goods or services in support

of, the Government of Zimbabwe, any senior official thereof, or any person whose property and interests in property are blocked pursuant to Executive Order 13288, Executive Order 13391, or this order; or (viii) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to Executive Order 13288, Executive Order 13391, or this order.

(b) I hereby determine that the making of donations of the type of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to paragraph (a) of this section would seriously impair my ability to deal with the national emergency declared in Executive Order 13288, as amended, and I hereby prohibit such donations as provided by paragraph (a) of this section.

(c) The prohibitions of this section include but are not limited to (i) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to Executive Order 13288, Executive Order 13391, or this order, and (ii) the receipt of any contribution or provision of funds, goods, or services from any such person.

(d) The provisions of Executive Orders 13288 and 13391 remain in effect, and this order does not affect any action taken pursuant to those orders.

**Sec. 2.** (a) Any transaction by a United States person or within the United States that evades or avoids, has the purpose of evading or avoiding, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

**Sec. 3.** For the purposes of this order:

(a) the term “person” means an individual or entity;

(b) the term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(c) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States; and

(d) the term “Government of Zimbabwe” means the Government of Zimbabwe, its agencies, instrumentalities, and controlled entities.

**Sec. 4.** For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that, because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that, for these measures to be effective in addressing the national emergency declared in Executive Order 13288, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

**EO 13470****Title 3—The President**

**Sec. 5.** The Secretary of the Treasury, after consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government consistent with applicable law. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

**Sec. 6.** The Secretary of the Treasury, after consultation with the Secretary of State, is hereby authorized to submit the recurring and final reports to the Congress on the national emergency declared in Executive Order 13288, as amended, and 5 expanded in this order, consistent with section 401(c) of the NEA (50 U.S.C. 1641(c)) and section 204(c) of IEEPA (50 U.S.C. 1703).

**Sec. 7.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,  
July 25, 2008.

**Executive Order 13470 of July 30, 2008****Further Amendments to Executive Order 12333, United States Intelligence Activities**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458), and in order to update and clarify Executive Order 13355 of August 27, 2004, Executive Order 12333 of December 4, 1981, as amended, is hereby further amended as follows:

**Section 1.** The Preamble to Executive Order 12333, as amended, is further amended by:

- (a) Striking “and” and inserting in lieu thereof a comma before the word “accurate”, and inserting “, and insightful” after the word “accurate” in the first sentence;
- (b) Striking “statutes” and inserting in lieu thereof “the laws” before “of the United States of America” in the third sentence; and
- (c) Striking “the” before “United States intelligence activities” in the third sentence.

**Sec. 2.** Executive Order 12333, as amended, is further amended by striking Part 1 in its entirety and inserting in lieu thereof the following new part:

*PART 1 Goals, Directions, Duties, and Responsibilities with Respect to United States Intelligence Efforts*



1.1 *Goals.* The United States intelligence effort shall provide the President, the National Security Council, and the Homeland Security Council with the necessary information on which to base decisions concerning the development and conduct of foreign, defense, and economic policies, and the protection of United States national interests from foreign security threats. All departments and agencies shall cooperate fully to fulfill this goal.

(a) All means, consistent with applicable Federal law and this order, and with full consideration of the rights of United States persons, shall be used to obtain reliable intelligence information to protect the United States and its interests.

(b) The United States Government has a solemn obligation, and shall continue in the conduct of intelligence activities under this order, to protect fully the legal rights of all United States persons, including freedoms, civil liberties, and privacy rights guaranteed by Federal law.

(c) Intelligence collection under this order should be guided by the need for information to respond to intelligence priorities set by the President.

(d) Special emphasis should be given to detecting and countering:

(1) Espionage and other threats and activities directed by foreign powers or their intelligence services against the United States and its interests;

(2) Threats to the United States and its interests from terrorism; and

(3) Threats to the United States and its interests from the development, possession, proliferation, or use of weapons of mass destruction.

(e) Special emphasis shall be given to the production of timely, accurate, and insightful reports, responsive to decisionmakers in the executive branch, that draw on all appropriate sources of information, including open source information, meet rigorous analytic standards, consider diverse analytic viewpoints, and accurately represent appropriate alternative views.

(f) State, local, and tribal governments are critical partners in securing and defending the United States from terrorism and other threats to the United States and its interests. Our national intelligence effort should take into account the responsibilities and requirements of State, local, and tribal governments and, as appropriate, private sector entities, when undertaking the collection and dissemination of information and intelligence to protect the United States.

(g) All departments and agencies have a responsibility to prepare and to provide intelligence in a manner that allows the full and free exchange of information, consistent with applicable law and presidential guidance.

#### 1.2 *The National Security Council.*

(a) *Purpose.* The National Security Council (NSC) shall act as the highest ranking executive branch entity that provides support to the President for review of, guidance for, and direction to the conduct of all foreign intelligence, counterintelligence, and covert action, and attendant policies and programs.

(b) *Covert Action and Other Sensitive Intelligence Operations.* The NSC shall consider and submit to the President a policy recommendation, including all dissents, on each proposed covert action and conduct a periodic review of ongoing covert action activities, including an evaluation of the

effectiveness and consistency with current national policy of such activities and consistency with applicable legal requirements. The NSC shall perform such other functions related to covert action as the President may direct, but shall not undertake the conduct of covert actions. The NSC shall also review proposals for other sensitive intelligence operations.

1.3 *Director of National Intelligence.* Subject to the authority, direction, and control of the President, the Director of National Intelligence (Director) shall serve as the head of the Intelligence Community, act as the principal adviser to the President, to the NSC, and to the Homeland Security Council for intelligence matters related to national security, and shall oversee and direct the implementation of the National Intelligence Program and execution of the National Intelligence Program budget. The Director will lead a unified, coordinated, and effective intelligence effort. In addition, the Director shall, in carrying out the duties and responsibilities under this section, take into account the views of the heads of departments containing an element of the Intelligence Community and of the Director of the Central Intelligence Agency.

(a) Except as otherwise directed by the President or prohibited by law, the Director shall have access to all information and intelligence described in section 1.5(a) of this order. For the purpose of access to and sharing of information and intelligence, the Director:

(1) Is hereby assigned the function under section 3(5) of the Act, to determine that intelligence, regardless of the source from which derived and including information gathered within or outside the United States, pertains to more than one United States Government agency; and

(2) Shall develop guidelines for how information or intelligence is provided to or accessed by the Intelligence Community in accordance with section 1.5(a) of this order, and for how the information or intelligence may be used and shared by the Intelligence Community. All guidelines developed in accordance with this section shall be approved by the Attorney General and, where applicable, shall be consistent with guidelines issued pursuant to section 1016 of the Intelligence Reform and Terrorism Protection Act of 2004 (Public Law 108–458) (IRTPA).

(b) In addition to fulfilling the obligations and responsibilities prescribed by the Act, the Director:

(1) Shall establish objectives, priorities, and guidance for the Intelligence Community to ensure timely and effective collection, processing, analysis, and dissemination of intelligence, of whatever nature and from whatever source derived;

(2) May designate, in consultation with affected heads of departments or Intelligence Community elements, one or more Intelligence Community elements to develop and to maintain services of common concern on behalf of the Intelligence Community if the Director determines such services can be more efficiently or effectively accomplished in a consolidated manner;

(3) Shall oversee and provide advice to the President and the NSC with respect to all ongoing and proposed covert action programs;

(4) In regard to the establishment and conduct of intelligence arrangements and agreements with foreign governments and international organizations;

- (A) May enter into intelligence and counterintelligence arrangements and agreements with foreign governments and international organizations;
  - (B) Shall formulate policies concerning intelligence and counterintelligence arrangements and agreements with foreign governments and international organizations; and
  - (C) Shall align and synchronize intelligence and counterintelligence foreign relationships among the elements of the Intelligence Community to further United States national security, policy, and intelligence objectives;
- (5) Shall participate in the development of procedures approved by the Attorney General governing criminal drug intelligence activities abroad to ensure that these activities are consistent with foreign intelligence programs;
- (6) Shall establish common security and access standards for managing and handling intelligence systems, information, and products, with special emphasis on facilitating:
- (A) The fullest and most prompt access to and dissemination of information and intelligence practicable, assigning the highest priority to detecting, preventing, preempting, and disrupting terrorist threats and activities against the United States, its interests, and allies; and
  - (B) The establishment of standards for an interoperable information sharing enterprise that facilitates the sharing of intelligence information among elements of the Intelligence Community;
- (7) Shall ensure that appropriate departments and agencies have access to intelligence and receive the support needed to perform independent analysis;
- (8) Shall protect, and ensure that programs are developed to protect, intelligence sources, methods, and activities from unauthorized disclosure;
- (9) Shall, after consultation with the heads of affected departments and agencies, establish guidelines for Intelligence Community elements for:
- (A) Classification and declassification of all intelligence and intelligence-related information classified under the authority of the Director or the authority of the head of a department or Intelligence Community element; and
  - (B) Access to and dissemination of all intelligence and intelligence-related information, both in its final form and in the form when initially gathered, to include intelligence originally classified by the head of a department or Intelligence Community element, except that access to and dissemination of information concerning United States persons shall be governed by procedures developed in accordance with Part 2 of this order;
- (10) May, only with respect to Intelligence Community elements, and after consultation with the head of the originating Intelligence Community element or the head of the originating department, declassify, or direct the declassification of, information or intelligence relating to intelligence sources, methods, and activities. The Director may only delegate this authority to the Principal Deputy Director of National Intelligence;

(11) May establish, operate, and direct one or more national intelligence centers to address intelligence priorities;

(12) May establish Functional Managers and Mission Managers, and designate officers or employees of the United States to serve in these positions.

(A) Functional Managers shall report to the Director concerning the execution of their duties as Functional Managers, and may be charged with developing and implementing strategic guidance, policies, and procedures for activities related to a specific intelligence discipline or set of intelligence activities; set training and tradecraft standards; and ensure coordination within and across intelligence disciplines and Intelligence Community elements and with related non-intelligence activities. Functional Managers may also advise the Director on: the management of resources; policies and procedures; collection capabilities and gaps; processing and dissemination of intelligence; technical architectures; and other issues or activities determined by the Director.

(i) The Director of the National Security Agency is designated the Functional Manager for signals intelligence;

(ii) The Director of the Central Intelligence Agency is designated the Functional Manager for human intelligence; and

(iii) The Director of the National Geospatial-Intelligence Agency is designated the Functional Manager for geospatial intelligence.

(B) Mission Managers shall serve as principal substantive advisors on all or specified aspects of intelligence related to designated countries, regions, topics, or functional issues;

(13) Shall establish uniform criteria for the determination of relative priorities for the transmission of critical foreign intelligence, and advise the Secretary of Defense concerning the communications requirements of the Intelligence Community for the transmission of such communications;

(14) Shall have ultimate responsibility for production and dissemination of intelligence produced by the Intelligence Community and authority to levy analytic tasks on intelligence production organizations within the Intelligence Community, in consultation with the heads of the Intelligence Community elements concerned;

(15) May establish advisory groups for the purpose of obtaining advice from within the Intelligence Community to carry out the Director's responsibilities, to include Intelligence Community executive management committees composed of senior Intelligence Community leaders. Advisory groups shall consist of representatives from elements of the Intelligence Community, as designated by the Director, or other executive branch departments, agencies, and offices, as appropriate;

(16) Shall ensure the timely exploitation and dissemination of data gathered by national intelligence collection means, and ensure that the resulting intelligence is disseminated immediately to appropriate government elements, including military commands;

(17) Shall determine requirements and priorities for, and manage and direct the tasking, collection, analysis, production, and dissemination of, national intelligence by elements of the Intelligence Community, including approving requirements for collection and analysis and resolving

conflicts in collection requirements and in the tasking of national collection assets of Intelligence Community elements (except when otherwise directed by the President or when the Secretary of Defense exercises collection tasking authority under plans and arrangements approved by the Secretary of Defense and the Director);

(18) May provide advisory tasking concerning collection and analysis of information or intelligence relevant to national intelligence or national security to departments, agencies, and establishments of the United States Government that are not elements of the Intelligence Community; and shall establish procedures, in consultation with affected heads of departments or agencies and subject to approval by the Attorney General, to implement this authority and to monitor or evaluate the responsiveness of United States Government departments, agencies, and other establishments;

(19) Shall fulfill the responsibilities in section 1.3(b)(17) and (18) of this order, consistent with applicable law and with full consideration of the rights of United States persons, whether information is to be collected inside or outside the United States;

(20) Shall ensure, through appropriate policies and procedures, the deconfliction, coordination, and integration of all intelligence activities conducted by an Intelligence Community element or funded by the National Intelligence Program. In accordance with these policies and procedures:

(A) The Director of the Federal Bureau of Investigation shall coordinate the clandestine collection of foreign intelligence collected through human sources or through human-enabled means and counterintelligence activities inside the United States;

(B) The Director of the Central Intelligence Agency shall coordinate the clandestine collection of foreign intelligence collected through human sources or through human-enabled means and counterintelligence activities outside the United States;

(C) All policies and procedures for the coordination of counterintelligence activities and the clandestine collection of foreign intelligence inside the United States shall be subject to the approval of the Attorney General; and

(D) All policies and procedures developed under this section shall be coordinated with the heads of affected departments and Intelligence Community elements;

(21) Shall, with the concurrence of the heads of affected departments and agencies, establish joint procedures to deconflict, coordinate, and synchronize intelligence activities conducted by an Intelligence Community element or funded by the National Intelligence Program, with intelligence activities, activities that involve foreign intelligence and security services, or activities that involve the use of clandestine methods, conducted by other United States Government departments, agencies, and establishments;

(22) Shall, in coordination with the heads of departments containing elements of the Intelligence Community, develop procedures to govern major system acquisitions funded in whole or in majority part by the National Intelligence Program;

(23) Shall seek advice from the Secretary of State to ensure that the foreign policy implications of proposed intelligence activities are considered, and shall ensure, through appropriate policies and procedures, that intelligence activities are conducted in a manner consistent with the responsibilities pursuant to law and presidential direction of Chiefs of United States Missions; and

(24) Shall facilitate the use of Intelligence Community products by the Congress in a secure manner.

(c) The Director's exercise of authorities in the Act and this order shall not abrogate the statutory or other responsibilities of the heads of departments of the United States Government or the Director of the Central Intelligence Agency. Directives issued and actions taken by the Director in the exercise of the Director's authorities and responsibilities to integrate, coordinate, and make the Intelligence Community more effective in providing intelligence related to national security shall be implemented by the elements of the Intelligence Community, provided that any department head whose department contains an element of the Intelligence Community and who believes that a directive or action of the Director violates the requirements of section 1018 of the IRTPA or this subsection shall bring the issue to the attention of the Director, the NSC, or the President for resolution in a manner that respects and does not abrogate the statutory responsibilities of the heads of the departments.

(d) Appointments to certain positions.

(1) The relevant department or bureau head shall provide recommendations and obtain the concurrence of the Director for the selection of: the Director of the National Security Agency, the Director of the National Reconnaissance Office, the Director of the National Geospatial-Intelligence Agency, the Under Secretary of Homeland Security for Intelligence and Analysis, the Assistant Secretary of State for Intelligence and Research, the Director of the Office of Intelligence and Counterintelligence of the Department of Energy, the Assistant Secretary for Intelligence and Analysis of the Department of the Treasury, and the Executive Assistant Director for the National Security Branch of the Federal Bureau of Investigation. If the Director does not concur in the recommendation, the department head may not fill the vacancy or make the recommendation to the President, as the case may be. If the department head and the Director do not reach an agreement on the selection or recommendation, the Director and the department head concerned may advise the President directly of the Director's intention to withhold concurrence.

(2) The relevant department head shall consult with the Director before appointing an individual to fill a vacancy or recommending to the President an individual be nominated to fill a vacancy in any of the following positions: the Under Secretary of Defense for Intelligence; the Director of the Defense Intelligence Agency; uniformed heads of the intelligence elements of the Army, the Navy, the Air Force, and the Marine Corps above the rank of Major General or Rear Admiral; the Assistant Commandant of the Coast Guard for Intelligence; and the Assistant Attorney General for National Security.

(e) Removal from certain positions.

(1) Except for the Director of the Central Intelligence Agency, whose removal the Director may recommend to the President, the Director and

the relevant department head shall consult on the removal, or recommendation to the President for removal, as the case may be, of: the Director of the National Security Agency, the Director of the National Geospatial-Intelligence Agency, the Director of the Defense Intelligence Agency, the Under Secretary of Homeland Security for Intelligence and Analysis, the Assistant Secretary of State for Intelligence and Research, and the Assistant Secretary for Intelligence and Analysis of the Department of the Treasury. If the Director and the department head do not agree on removal, or recommendation for removal, either may make a recommendation to the President for the removal of the individual.

(2) The Director and the relevant department or bureau head shall consult on the removal of: the Executive Assistant Director for the National Security Branch of the Federal Bureau of Investigation, the Director of the Office of Intelligence and Counterintelligence of the Department of Energy, the Director of the National Reconnaissance Office, the Assistant Commandant of the Coast Guard for Intelligence, and the Under Secretary of Defense for Intelligence. With respect to an individual appointed by a department head, the department head may remove the individual upon the request of the Director; if the department head chooses not to remove the individual, either the Director or the department head may advise the President of the department head's intention to retain the individual. In the case of the Under Secretary of Defense for Intelligence, the Secretary of Defense may recommend to the President either the removal or the retention of the individual. For uniformed heads of the intelligence elements of the Army, the Navy, the Air Force, and the Marine Corps, the Director may make a recommendation for removal to the Secretary of Defense.

(3) Nothing in this subsection shall be construed to limit or otherwise affect the authority of the President to nominate, appoint, assign, or terminate the appointment or assignment of any individual, with or without a consultation, recommendation, or concurrence.

1.4 *The Intelligence Community.* Consistent with applicable Federal law and with the other provisions of this order, and under the leadership of the Director, as specified in such law and this order, the Intelligence Community shall:

(a) Collect and provide information needed by the President and, in the performance of executive functions, the Vice President, the NSC, the Homeland Security Council, the Chairman of the Joint Chiefs of Staff, senior military commanders, and other executive branch officials and, as appropriate, the Congress of the United States;

(b) In accordance with priorities set by the President, collect information concerning, and conduct activities to protect against, international terrorism, proliferation of weapons of mass destruction, intelligence activities directed against the United States, international criminal drug activities, and other hostile activities directed against the United States by foreign powers, organizations, persons, and their agents;

(c) Analyze, produce, and disseminate intelligence;

(d) Conduct administrative, technical, and other support activities within the United States and abroad necessary for the performance of authorized

activities, to include providing services of common concern for the Intelligence Community as designated by the Director in accordance with this order;

(e) Conduct research, development, and procurement of technical systems and devices relating to authorized functions and missions or the provision of services of common concern for the Intelligence Community;

(f) Protect the security of intelligence related activities, information, installations, property, and employees by appropriate means, including such investigations of applicants, employees, contractors, and other persons with similar associations with the Intelligence Community elements as are necessary;

(g) Take into account State, local, and tribal governments' and, as appropriate, private sector entities' information needs relating to national and homeland security;

(h) Deconflict, coordinate, and integrate all intelligence activities and other information gathering in accordance with section 1.3(b)(20) of this order; and

(i) Perform such other functions and duties related to intelligence activities as the President may direct.

*1.5 Duties and Responsibilities of the Heads of Executive Branch Departments and Agencies.* The heads of all departments and agencies shall:

(a) Provide the Director access to all information and intelligence relevant to the national security or that otherwise is required for the performance of the Director's duties, to include administrative and other appropriate management information, except such information excluded by law, by the President, or by the Attorney General acting under this order at the direction of the President;

(b) Provide all programmatic and budgetary information necessary to support the Director in developing the National Intelligence Program;

(c) Coordinate development and implementation of intelligence systems and architectures and, as appropriate, operational systems and architectures of their departments, agencies, and other elements with the Director to respond to national intelligence requirements and all applicable information sharing and security guidelines, information privacy, and other legal requirements;

(d) Provide, to the maximum extent permitted by law, subject to the availability of appropriations and not inconsistent with the mission of the department or agency, such further support to the Director as the Director may request, after consultation with the head of the department or agency, for the performance of the Director's functions;

(e) Respond to advisory tasking from the Director under section 1.3(b)(18) of this order to the greatest extent possible, in accordance with applicable policies established by the head of the responding department or agency;

(f) Ensure that all elements within the department or agency comply with the provisions of Part 2 of this order, regardless of Intelligence Community affiliation, when performing foreign intelligence and counterintelligence functions;



(g) Deconflict, coordinate, and integrate all intelligence activities in accordance with section 1.3(b)(20), and intelligence and other activities in accordance with section 1.3(b)(21) of this order;

(h) Inform the Attorney General, either directly or through the Federal Bureau of Investigation, and the Director of clandestine collection of foreign intelligence and counterintelligence activities inside the United States not coordinated with the Federal Bureau of Investigation;

(i) Pursuant to arrangements developed by the head of the department or agency and the Director of the Central Intelligence Agency and approved by the Director, inform the Director and the Director of the Central Intelligence Agency, either directly or through his designee serving outside the United States, as appropriate, of clandestine collection of foreign intelligence collected through human sources or through human-enabled means outside the United States that has not been coordinated with the Central Intelligence Agency; and

(j) Inform the Secretary of Defense, either directly or through his designee, as appropriate, of clandestine collection of foreign intelligence outside the United States in a region of combat or contingency military operations designated by the Secretary of Defense, for purposes of this paragraph, after consultation with the Director of National Intelligence.

*1.6 Heads of Elements of the Intelligence Community.* The heads of elements of the Intelligence Community shall:

(a) Provide the Director access to all information and intelligence relevant to the national security or that otherwise is required for the performance of the Director's duties, to include administrative and other appropriate management information, except such information excluded by law, by the President, or by the Attorney General acting under this order at the direction of the President;

(b) Report to the Attorney General possible violations of Federal criminal laws by employees and of specified Federal criminal laws by any other person as provided in procedures agreed upon by the Attorney General and the head of the department, agency, or establishment concerned, in a manner consistent with the protection of intelligence sources and methods, as specified in those procedures;

(c) Report to the Intelligence Oversight Board, consistent with Executive Order 13462 of February 29, 2008, and provide copies of all such reports to the Director, concerning any intelligence activities of their elements that they have reason to believe may be unlawful or contrary to executive order or presidential directive;

(d) Protect intelligence and intelligence sources, methods, and activities from unauthorized disclosure in accordance with guidance from the Director;

(e) Facilitate, as appropriate, the sharing of information or intelligence, as directed by law or the President, to State, local, tribal, and private sector entities;

(f) Disseminate information or intelligence to foreign governments and international organizations under intelligence or counterintelligence arrangements or agreements established in accordance with section 1.3(b)(4) of this order;

(g) Participate in the development of procedures approved by the Attorney General governing production and dissemination of information or intelligence resulting from criminal drug intelligence activities abroad if they have intelligence responsibilities for foreign or domestic criminal drug production and trafficking; and

(h) Ensure that the inspectors general, general counsels, and agency officials responsible for privacy or civil liberties protection for their respective organizations have access to any information or intelligence necessary to perform their official duties.

*1.7 Intelligence Community Elements.* Each element of the Intelligence Community shall have the duties and responsibilities specified below, in addition to those specified by law or elsewhere in this order. Intelligence Community elements within executive departments shall serve the information and intelligence needs of their respective heads of departments and also shall operate as part of an integrated Intelligence Community, as provided in law or this order.

(a) THE CENTRAL INTELLIGENCE AGENCY. The Director of the Central Intelligence Agency shall:

(1) Collect (including through clandestine means), analyze, produce, and disseminate foreign intelligence and counterintelligence;

(2) Conduct counterintelligence activities without assuming or performing any internal security functions within the United States;

(3) Conduct administrative and technical support activities within and outside the United States as necessary for cover and proprietary arrangements;

(4) Conduct covert action activities approved by the President. No agency except the Central Intelligence Agency (or the Armed Forces of the United States in time of war declared by the Congress or during any period covered by a report from the President to the Congress consistent with the War Powers Resolution, Public Law 93-148) may conduct any covert action activity unless the President determines that another agency is more likely to achieve a particular objective;

(5) Conduct foreign intelligence liaison relationships with intelligence or security services of foreign governments or international organizations consistent with section 1.3(b)(4) of this order;

(6) Under the direction and guidance of the Director, and in accordance with section 1.3(b)(4) of this order, coordinate the implementation of intelligence and counterintelligence relationships between elements of the Intelligence Community and the intelligence or security services of foreign governments or international organizations; and

(7) Perform such other functions and duties related to intelligence as the Director may direct.

(b) THE DEFENSE INTELLIGENCE AGENCY. The Director of the Defense Intelligence Agency shall:

(1) Collect (including through clandestine means), analyze, produce, and disseminate foreign intelligence and counterintelligence to support national and departmental missions;

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(2) Collect, analyze, produce, or, through tasking and coordination, provide defense and defense-related intelligence for the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, combatant commanders, other Defense components, and non-Defense agencies;

(3) Conduct counterintelligence activities;

(4) Conduct administrative and technical support activities within and outside the United States as necessary for cover and proprietary arrangements;

(5) Conduct foreign defense intelligence liaison relationships and defense intelligence exchange programs with foreign defense establishments, intelligence or security services of foreign governments, and international organizations in accordance with sections 1.3(b)(4), 1.7(a)(6), and 1.10(i) of this order;

(6) Manage and coordinate all matters related to the Defense Attaché system; and

(7) Provide foreign intelligence and counterintelligence staff support as directed by the Secretary of Defense.

(c) THE NATIONAL SECURITY AGENCY. The Director of the National Security Agency shall:

(1) Collect (including through clandestine means), process, analyze, produce, and disseminate signals intelligence information and data for foreign intelligence and counterintelligence purposes to support national and departmental missions;

(2) Establish and operate an effective unified organization for signals intelligence activities, except for the delegation of operational control over certain operations that are conducted through other elements of the Intelligence Community. No other department or agency may engage in signals intelligence activities except pursuant to a delegation by the Secretary of Defense, after coordination with the Director;

(3) Control signals intelligence collection and processing activities, including assignment of resources to an appropriate agent for such periods and tasks as required for the direct support of military commanders;

(4) Conduct administrative and technical support activities within and outside the United States as necessary for cover arrangements;

(5) Provide signals intelligence support for national and departmental requirements and for the conduct of military operations;

(6) Act as the National Manager for National Security Systems as established in law and policy, and in this capacity be responsible to the Secretary of Defense and to the Director;

(7) Prescribe, consistent with section 102A(g) of the Act, within its field of authorized operations, security regulations covering operating practices, including the transmission, handling, and distribution of signals intelligence and communications security material within and among the elements under control of the Director of the National Security Agency, and exercise the necessary supervisory control to ensure compliance with the regulations; and

(8) Conduct foreign cryptologic liaison relationships in accordance with sections 1.3(b)(4), 1.7(a)(6), and 1.10(i) of this order.

(d) THE NATIONAL RECONNAISSANCE OFFICE. The Director of the National Reconnaissance Office shall:

(1) Be responsible for research and development, acquisition, launch, deployment, and operation of overhead systems and related data processing facilities to collect intelligence and information to support national and departmental missions and other United States Government needs; and

(2) Conduct foreign liaison relationships relating to the above missions, in accordance with sections 1.3(b)(4), 1.7(a)(6), and 1.10(i) of this order.

(e) THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY. The Director of the National Geospatial-Intelligence Agency shall:

(1) Collect, process, analyze, produce, and disseminate geospatial intelligence information and data for foreign intelligence and counterintelligence purposes to support national and departmental missions;

(2) Provide geospatial intelligence support for national and departmental requirements and for the conduct of military operations;

(3) Conduct administrative and technical support activities within and outside the United States as necessary for cover arrangements; and

(4) Conduct foreign geospatial intelligence liaison relationships, in accordance with sections 1.3(b)(4), 1.7(a)(6), and 1.10(i) of this order.

(f) THE INTELLIGENCE AND COUNTERINTELLIGENCE ELEMENTS OF THE ARMY, NAVY, AIR FORCE, AND MARINE CORPS. The Commanders and heads of the intelligence and counterintelligence elements of the Army, Navy, Air Force, and Marine Corps shall:

(1) Collect (including through clandestine means), produce, analyze, and disseminate defense and defense-related intelligence and counterintelligence to support departmental requirements, and, as appropriate, national requirements;

(2) Conduct counterintelligence activities;

(3) Monitor the development, procurement, and management of tactical intelligence systems and equipment and conduct related research, development, and test and evaluation activities; and

(4) Conduct military intelligence liaison relationships and military intelligence exchange programs with selected cooperative foreign defense establishments and international organizations in accordance with sections 1.3(b)(4), 1.7(a)(6), and 1.10(i) of this order.

(g) INTELLIGENCE ELEMENTS OF THE FEDERAL BUREAU OF INVESTIGATION. Under the supervision of the Attorney General and pursuant to such regulations as the Attorney General may establish, the intelligence elements of the Federal Bureau of Investigation shall:

(1) Collect (including through clandestine means), analyze, produce, and disseminate foreign intelligence and counterintelligence to support national and departmental missions, in accordance with procedural guidelines approved by the Attorney General, after consultation with the Director;

(2) Conduct counterintelligence activities; and

(3) Conduct foreign intelligence and counterintelligence liaison relationships with intelligence, security, and law enforcement services of foreign governments or international organizations in accordance with sections 1.3(b)(4) and 1.7(a)(6) of this order.

(h) THE INTELLIGENCE AND COUNTERINTELLIGENCE ELEMENTS OF THE COAST GUARD. The Commandant of the Coast Guard shall:

(1) Collect (including through clandestine means), analyze, produce, and disseminate foreign intelligence and counterintelligence including defense and defense-related information and intelligence to support national and departmental missions;

(2) Conduct counterintelligence activities;

(3) Monitor the development, procurement, and management of tactical intelligence systems and equipment and conduct related research, development, and test and evaluation activities; and

(4) Conduct foreign intelligence liaison relationships and intelligence exchange programs with foreign intelligence services, security services or international organizations in accordance with sections 1.3(b)(4), 1.7(a)(6), and, when operating as part of the Department of Defense, 1.10(i) of this order.

(i) THE BUREAU OF INTELLIGENCE AND RESEARCH, DEPARTMENT OF STATE; THE OFFICE OF INTELLIGENCE AND ANALYSIS, DEPARTMENT OF THE TREASURY; THE OFFICE OF NATIONAL SECURITY INTELLIGENCE, DRUG ENFORCEMENT ADMINISTRATION; THE OFFICE OF INTELLIGENCE AND ANALYSIS, DEPARTMENT OF HOMELAND SECURITY; AND THE OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE, DEPARTMENT OF ENERGY. The heads of the Bureau of Intelligence and Research, Department of State; the Office of Intelligence and Analysis, Department of the Treasury; the Office of National Security Intelligence, Drug Enforcement Administration; the Office of Intelligence and Analysis, Department of Homeland Security; and the Office of Intelligence and Counterintelligence, Department of Energy shall:

(1) Collect (overtly or through publicly available sources), analyze, produce, and disseminate information, intelligence, and counterintelligence to support national and departmental missions; and

(2) Conduct and participate in analytic or information exchanges with foreign partners and international organizations in accordance with sections 1.3(b)(4) and 1.7(a)(6) of this order.

(j) THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. The Director shall collect (overtly or through publicly available sources), analyze, produce, and disseminate information, intelligence, and counterintelligence to support the missions of the Office of the Director of National Intelligence, including the National Counterterrorism Center, and to support other national missions.

1.8 *The Department of State.* In addition to the authorities exercised by the Bureau of Intelligence and Research under sections 1.4 and 1.7(i) of this order, the Secretary of State shall:

(a) Collect (overtly or through publicly available sources) information relevant to United States foreign policy and national security concerns;

- (b) Disseminate, to the maximum extent possible, reports received from United States diplomatic and consular posts;
- (c) Transmit reporting requirements and advisory taskings of the Intelligence Community to the Chiefs of United States Missions abroad; and
- (d) Support Chiefs of United States Missions in discharging their responsibilities pursuant to law and presidential direction.

1.9 *The Department of the Treasury.* In addition to the authorities exercised by the Office of Intelligence and Analysis of the Department of the Treasury under sections 1.4 and 1.7(i) of this order the Secretary of the Treasury shall collect (overtly or through publicly available sources) foreign financial information and, in consultation with the Department of State, foreign economic information.

1.10 *The Department of Defense.* The Secretary of Defense shall:

- (a) Collect (including through clandestine means), analyze, produce, and disseminate information and intelligence and be responsive to collection tasking and advisory tasking by the Director;
- (b) Collect (including through clandestine means), analyze, produce, and disseminate defense and defense-related intelligence and counterintelligence, as required for execution of the Secretary's responsibilities;
- (c) Conduct programs and missions necessary to fulfill national, departmental, and tactical intelligence requirements;
- (d) Conduct counterintelligence activities in support of Department of Defense components and coordinate counterintelligence activities in accordance with section 1.3(b)(20) and (21) of this order;
- (e) Act, in coordination with the Director, as the executive agent of the United States Government for signals intelligence activities;
- (f) Provide for the timely transmission of critical intelligence, as defined by the Director, within the United States Government;
- (g) Carry out or contract for research, development, and procurement of technical systems and devices relating to authorized intelligence functions;
- (h) Protect the security of Department of Defense installations, activities, information, property, and employees by appropriate means, including such investigations of applicants, employees, contractors, and other persons with similar associations with the Department of Defense as are necessary;
- (i) Establish and maintain defense intelligence relationships and defense intelligence exchange programs with selected cooperative foreign defense establishments, intelligence or security services of foreign governments, and international organizations, and ensure that such relationships and programs are in accordance with sections 1.3(b)(4), 1.3(b)(21) and 1.7(a)(6) of this order;
- (j) Conduct such administrative and technical support activities within and outside the United States as are necessary to provide for cover and proprietary arrangements, to perform the functions described in sections (a) through (i) above, and to support the Intelligence Community elements of the Department of Defense; and
- (k) Use the Intelligence Community elements within the Department of Defense identified in section 1.7(b) through (f) and, when the Coast Guard is

operating as part of the Department of Defense, (h) above to carry out the Secretary of Defense's responsibilities assigned in this section or other departments, agencies, or offices within the Department of Defense, as appropriate, to conduct the intelligence missions and responsibilities assigned to the Secretary of Defense.

1.11 *The Department of Homeland Security.* In addition to the authorities exercised by the Office of Intelligence and Analysis of the Department of Homeland Security under sections 1.4 and 1.7(i) of this order, the Secretary of Homeland Security shall conduct, through the United States Secret Service, activities to determine the existence and capability of surveillance equipment being used against the President or the Vice President of the United States, the Executive Office of the President, and, as authorized by the Secretary of Homeland Security or the President, other Secret Service protectees and United States officials. No information shall be acquired intentionally through such activities except to protect against use of such surveillance equipment, and those activities shall be conducted pursuant to procedures agreed upon by the Secretary of Homeland Security and the Attorney General.

1.12 *The Department of Energy.* In addition to the authorities exercised by the Office of Intelligence and Counterintelligence of the Department of Energy under sections 1.4 and 1.7(i) of this order, the Secretary of Energy shall:

- (a) Provide expert scientific, technical, analytic, and research capabilities to other agencies within the Intelligence Community, as appropriate;
- (b) Participate in formulating intelligence collection and analysis requirements where the special expert capability of the Department can contribute; and
- (c) Participate with the Department of State in overtly collecting information with respect to foreign energy matters.

1.13 *The Federal Bureau of Investigation.* In addition to the authorities exercised by the intelligence elements of the Federal Bureau of Investigation of the Department of Justice under sections 1.4 and 1.7(g) of this order and under the supervision of the Attorney General and pursuant to such regulations as the Attorney General may establish, the Director of the Federal Bureau of Investigation shall provide technical assistance, within or outside the United States, to foreign intelligence and law enforcement services, consistent with section 1.3(b)(20) and (21) of this order, as may be necessary to support national or departmental missions.

**Sec. 3.** Part 2 of Executive Order 12333, as amended, is further amended by:

- (a) In section 2.1, striking the first sentence and inserting in lieu thereof: "Timely, accurate, and insightful information about the activities, capabilities, plans, and intentions of foreign powers, organizations, and persons, and their agents, is essential to informed decisionmaking in the areas of national security, national defense, and foreign relations.";
- (b) In section 2.1, inserting a comma after "innovative";
- (c) In section 2.2, inserting " , the spread of weapons of mass destruction," after "international terrorist activities" in the first sentence;

- (d) In the first sentence of section 2.3, striking “Agencies within the” and inserting in lieu thereof “Elements of the”, inserting a comma after “retain”, striking “agency” and inserting in lieu thereof “Intelligence Community element”, and inserting “or by the head of a department containing such element” after “concerned”;
- (e) In section 2.3, inserting “, after consultation with the Director” preceding the period at the end of the first sentence;
- (f) In section 2.3, inserting a comma after “retention” in the second sentence;
- (g) In section 2.3(b), striking “FBI” and inserting in lieu thereof “Federal Bureau of Investigation (FBI)”;
- (h) In section 2.3(b), striking “agencies” and inserting in lieu thereof “elements” each time it appears;
- (i) In section 2.3(c), striking “narcotics” and inserting in lieu thereof “drug,”;
- (j) In section 2.3(d), inserting a comma after “victims”;
- (k) In section 2.3(e), striking “sources or methods” and inserting in lieu thereof “sources, methods, and activities”;
- (l) In section 2.3(e), striking “agencies” and inserting in lieu thereof “elements” and striking “agency” and inserting in lieu thereof “element”;
- (m) In section 2.3(g), inserting a comma after “physical”;
- (n) In section 2.3(h), striking “and”;
- (o) In section 2.3(i), striking “federal” and inserting in lieu thereof “Federal” and inserting a comma after “local”;
- (p) In the last sentence of section 2.3, striking “agencies within” and inserting in lieu thereof “elements of”, striking “, other than information derived from signals intelligence,”, striking “agency” and inserting in lieu thereof “element” in both instances and inserting immediately before the period: “, except that information derived from signals intelligence may only be disseminated or made available to Intelligence Community elements in accordance with procedures established by the Director in coordination with the Secretary of Defense and approved by the Attorney General”;
- (q) In the first three sentences of section 2.4, striking “Agencies within” and inserting in lieu thereof “Elements of”; striking “Agencies” and inserting in lieu thereof “Elements of the Intelligence Community”; and striking “agency” and inserting in lieu thereof “Intelligence Community element concerned or the head of a department containing such element”;
- (r) In the second sentence of section 2.4, inserting “, after consultation with the Director” after “Attorney General”;
- (s) In section 2.4(a), striking “CIA” and inserting in lieu thereof “Central Intelligence Agency (CIA)”;
- (t) In section 2.4(b) and (c), striking “agencies” and inserting in lieu thereof “elements of the Intelligence Community”.
- (u) In section 2.4(b)(2), striking the period and inserting in lieu thereof a semicolon;



- (v) In section 2.4(c)(1), striking “agency” and inserting in lieu thereof “element”;
  - (w) In section 2.4(c)(2), striking the period and inserting in lieu thereof “; and”;
  - (x) In section 2.4(d) striking “than” and inserting in lieu thereof “that”;
  - (y) In section 2.5, striking the final sentence and inserting in lieu thereof “The authority delegated pursuant to this paragraph, including the authority to approve the use of electronic surveillance as defined in the Foreign Intelligence Surveillance Act of 1978, as amended, shall be exercised in accordance with that Act.”;
  - (z) In section 2.6, inserting “and other Civil” before “Authorities” in the caption and striking “Agencies within” and inserting in lieu thereof “Elements of”;
  - (aa) In section 2.6(a), inserting a comma after “property” and striking “agency” and inserting in lieu thereof “element”;
  - (bb) In section 2.6(c), striking “General Counsel” and inserting in lieu thereof “general counsel”, and striking “agency” and inserting in lieu thereof “element or department” in the second sentence;
  - (cc) In section 2.6(d), inserting “or other civil” before “authorities”;
  - (dd) In section 2.7, striking “Agencies within” and inserting in lieu thereof “Elements of”;
  - (ee) In section 2.9, striking “agencies within” and inserting in lieu thereof “elements of”, and striking “agency within” and inserting in lieu thereof “element of” the first time it appears and “Intelligence Community element” the second and third times it appears;
  - (ff) In section 2.9, striking “his” and inserting in lieu thereof “such person’s”;
  - (gg) In section 2.9, inserting “or the head of a department containing such element” before “and approved by the Attorney General”, and inserting “, after consultation with the Director” after “the Attorney General”;
  - (hh) In section 2.10, striking “agency within” and inserting in lieu thereof “element of”, and inserting a comma after “contract for”;
  - (ii) In section 2.12, striking “agency” and inserting in lieu thereof “element”; and
  - (jj) At the end of Part 2, inserting a new section 2.13 as follows: “2.13 Limitation on Covert Action. No covert action may be conducted which is intended to influence United States political processes, public opinion, policies, or media.”.
- Sec. 4.** Part 3 of Executive Order 12333, as amended, is further amended by:
- (a) In section 3.1, striking “of Central Intelligence”; inserting “elements,” after “agencies,”; and striking “special” and inserting in lieu thereof “covert action”;

(b) Striking section 3.2 and inserting in lieu thereof: “*3.2 Implementation.* The President, supported by the NSC, and the Director shall issue such appropriate directives, procedures, and guidance as are necessary to implement this order. Heads of elements within the Intelligence Community shall issue appropriate procedures and supplementary directives consistent with this order. No procedures to implement Part 2 of this order shall be issued without the Attorney General’s approval, after consultation with the Director. The Attorney General shall provide a statement of reasons for not approving any procedures established by the head of an element in the Intelligence Community (or the head of the department containing such element) other than the FBI. In instances where the element head or department head and the Attorney General are unable to reach agreements on other than constitutional or other legal grounds, the Attorney General, the head of department concerned, or the Director shall refer the matter to the NSC.”;

(c) Striking section 3.3 and inserting in lieu thereof: “*3.3 Procedures.* The activities herein authorized that require procedures shall be conducted in accordance with existing procedures or requirements established under Executive Order 12333. New procedures, as required by Executive Order 12333, as further amended, shall be established as expeditiously as possible. All new procedures promulgated pursuant to Executive Order 12333, as amended, shall be made available to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.”;

(d) Inserting after section 3.3 the following new section: “*3.4 References and Transition.* References to “Senior Officials of the Intelligence Community” or “SOICs” in executive orders or other Presidential guidance, shall be deemed references to the heads of elements in the Intelligence Community, unless the President otherwise directs; references in Intelligence Community or Intelligence Community element policies or guidance, shall be deemed to be references to the heads of elements of the Intelligence Community, unless the President or the Director otherwise directs.”;

(e) Striking “*3.4 Definitions*” and inserting in lieu thereof “*3.5 Definitions*”;

(f) Amending the definition of “*Counterintelligence*” in section 3.5(a), as renumbered, by inserting “identify, deceive, exploit, disrupt, or” before “protect against espionage”, inserting “or their agents,” after “persons,”, inserting “organizations or activities” after terrorist, and striking “activities, but not including personnel, physical, document or communications security programs”;

(g) Striking section 3.5(b)-(h), as renumbered, and inserting in lieu thereof:

“(b) *Covered action* means an activity or activities of the United States Government to influence political, economic, or military conditions abroad, where it is intended that the role of the United States Government will not be apparent or acknowledged publicly, but does not include:

(1) Activities the primary purpose of which is to acquire intelligence, traditional counterintelligence activities, traditional activities to improve or maintain the operational security of United States Government programs, or administrative activities;

- (2) Traditional diplomatic or military activities or routine support to such activities;
- (3) Traditional law enforcement activities conducted by United States Government law enforcement agencies or routine support to such activities; or
- (4) Activities to provide routine support to the overt activities (other than activities described in paragraph (1), (2), or (3)) of other United States Government agencies abroad.

(c) *Electronic surveillance* means acquisition of a nonpublic communication by electronic means without the consent of a person who is a party to an electronic communication or, in the case of a nonelectronic communication, without the consent of a person who is visibly present at the place of communication, but not including the use of radio direction-finding equipment solely to determine the location of a transmitter.

(d) *Employee* means a person employed by, assigned or detailed to, or acting for an element within the Intelligence Community.

(e) *Foreign intelligence* means information relating to the capabilities, intentions, or activities of foreign governments or elements thereof, foreign organizations, foreign persons, or international terrorists.

(f) *Intelligence* includes foreign intelligence and counterintelligence.

(g) *Intelligence activities* means all activities that elements of the Intelligence Community are authorized to conduct pursuant to this order.

(h) *Intelligence Community* and *elements of the Intelligence Community* refers to:

- (1) The Office of the Director of National Intelligence;
- (2) The Central Intelligence Agency;
- (3) The National Security Agency;
- (4) The Defense Intelligence Agency;
- (5) The National Geospatial-Intelligence Agency;
- (6) The National Reconnaissance Office;
- (7) The other offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;
- (8) The intelligence and counterintelligence elements of the Army, the Navy, the Air Force, and the Marine Corps;
- (9) The intelligence elements of the Federal Bureau of Investigation;
- (10) The Office of National Security Intelligence of the Drug Enforcement Administration;
- (11) The Office of Intelligence and Counterintelligence of the Department of Energy;
- (12) The Bureau of Intelligence and Research of the Department of State;
- (13) The Office of Intelligence and Analysis of the Department of the Treasury;
- (14) The Office of Intelligence and Analysis of the Department of Homeland Security;

(15) The intelligence and counterintelligence elements of the Coast Guard; and

(16) Such other elements of any department or agency as may be designated by the President, or designated jointly by the Director and the head of the department or agency concerned, as an element of the Intelligence Community.

(i) *National Intelligence and Intelligence Related to National Security* means all intelligence, regardless of the source from which derived and including information gathered within or outside the United States, that pertains, as determined consistent with any guidance issued by the President, or that is determined for the purpose of access to information by the Director in accordance with section 1.3(a)(1) of this order, to pertain to more than one United States Government agency; and that involves threats to the United States, its people, property, or interests; the development, proliferation, or use of weapons of mass destruction; or any other matter bearing on United States national or homeland security.

(j) *The National Intelligence Program* means all programs, projects, and activities of the Intelligence Community, as well as any other programs of the Intelligence Community designated jointly by the Director and the head of a United States department or agency or by the President. Such term does not include programs, projects, or activities of the military departments to acquire intelligence solely for the planning and conduct of tactical military operations by United States Armed Forces.”.

(h) Redesignating the definition of “ *United States Person*” as section 3.5(k) and therein striking “agency” and inserting in lieu thereof “element”;

(i) Striking section 3.5;

(j) In section 3.6, striking “Order No. 12036 of January 24, 1978, as amended, entitled “United States Intelligence Activities,” is” and inserting in lieu thereof “Orders 13354 and 13355 of August 27, 2004, are”, and inserting before the period “; and paragraphs 1.3(b)(9) and (10) of Part 1 supersede provisions within Executive Order 12958, as amended, to the extent such provisions in Executive Order 12958, as amended, are inconsistent with this Order”; and

(k) Inserting the following new section 3.7 to read as follows:

“3.7 *General Provisions*.

(a) Consistent with section 1.3(c) of this order, nothing in this order shall be construed to impair or otherwise affect:

(1) Authority granted by law to a department or agency, or the head thereof; or

(2) Functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies or entities, its officers, employees, or agents, or any other person.”.

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**Sec. 5.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable by any party at law or in equity against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
*July 30, 2008.*

### Executive Order 13471 of August 28, 2008

#### **Further Amendments To Executive Order 13285, President's Council On Service And Civic Participation**

By the authority vested in me as President by the Constitution and the laws of the United States, and in order to increase the membership and extend the duration of the President's Council on Service and Civic Participation, it is hereby ordered that Executive Order 13285 of January 29, 2003, as amended, is further amended as follows:

**Section 1.** Section 1 is amended by adding at the end of section 1 the following new subsection: “(c) To conduct and vote on official business during meetings, the Council must convene a quorum of at least 10 Council members.”

**Sec. 2.** Section 4(b) is amended to read: “(b) Unless further extended by the President, this order shall expire on June 30, 2009.”

**Sec. 3.** Section 4 is amended by adding at the end thereof the following new subsection:

“(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.”

GEORGE W. BUSH

The White House,  
*August 28, 2008.*

### Executive Order 13472 of September 11, 2008

#### **Executive Branch Responsibilities With Respect To Orders of Succession**

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

**Section 1. Policy.** It is the policy of the Federal Government to ensure that each executive branch agency can perform its essential functions and remain an effectively functioning part of the Federal Government under all

conditions. Accordingly, each agency shall take all appropriate actions to establish, maintain, and, as necessary, revise an order of succession, or to propose presidential action to establish or revise an order of succession.

**Sec. 2. Definitions.** As used in this order:

(a) “agency” means:

- (i) an executive agency as defined in section 105 of title 5, United States Code, other than the Government Accountability Office; and
- (ii) the United States Postal Service and the Postal Regulatory Commission; and

(b) “order of succession” means a list of officials by position who shall act as and perform the functions and duties of the office of the head of the agency in the event that the office-holder has died, resigned, or otherwise become unable to perform the functions and duties of the office. “Order of succession” does not include any order, rule, memorandum, or other document delegating or partially delegating the authority of an office.

**Sec. 3. Orders of Succession Requiring Presidential Action.**

(a) Each agency for which presidential action is required to establish an order of succession shall draft a proposed order of succession if no such order exists and, not later than 30 days from the date of this order, send such proposed draft order to the Counsel to the President for review and comment.

(b) Each agency described in subsection 3(a) of this order shall send any proposed updates or revisions to the agency’s order of succession to the Counsel to the President for review and comment.

(c) Upon completion of the requirements set forth by subsections (a) or (b) of this section with respect to a proposed order, the agency shall submit the proposed order to the Office of Management and Budget in accordance with Executive Order 11030, as amended.

**Sec. 4. Orders of Succession Not Requiring Presidential Action.** (a) Each agency for which presidential action is not required to establish an order of succession because of the agency’s existing legal authority shall establish and maintain such order in accordance with applicable law and any applicable guidance issued by the President or the Secretary of Homeland Security, including the laws and guidance regarding continuity plans and programs for the executive branch.

(b) Each agency described in subsection 4(a) of this order shall update and revise its order of succession as necessary. Before implementing any revisions to its order of succession, such agency shall send the proposed revisions to the Counsel to the President for review and comment.

(c) Not later than 30 days from the date of this order, and not later than 7 days from the issuance date of any subsequent final revision to an existing order of succession, each agency described in subsection 4(a) of this order shall provide a copy of its order of succession to the Counsel to the President, the Assistant to the President for Homeland Security and Counterterrorism, and the Director of the Office of Management and Budget.

**Sec. 5. General Provisions.** (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) authority granted by law to a department, agency, or the head thereof; or
  - (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.
- (b) Nothing in this order shall be construed to delegate the President's authority under the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.*, to designate individuals to perform the functions and duties of a vacant office temporarily in an acting capacity.
- (c) This order shall be implemented in a manner consistent with applicable law and subject to the availability of appropriations.
- (d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
*September 11, 2008.*

**Executive Order 13473 of September 25, 2008**

**To Authorize Certain Noncompetitive Appointments in the Civil Service for Spouses of Certain Members of the Armed Forces**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 3301 and 3302 of title 5, United States Code, it is hereby ordered as follows:

**Section 1. Policy.** It shall be the policy of the United States to provide for the appropriately expedited recruitment and selection of spouses of members of the Armed Forces for appointment to positions in the competitive service of the Federal civil service as part of the effort of the United States to recruit and retain in military service, skilled and experienced members of the Armed Forces and to recognize and honor the service of such members injured, disabled, or killed in connection with their service.

**Sec. 2. Definitions.** As used in this order:

(a) the term “agency” has the meaning specified for the term “executive agency” in section 105 of title 5, United States Code, but does not include the Government Accountability Office;

(b) the term “Armed Forces” has the meaning specified for that term in section 101 of title 10, United States Code;

(c) the term “active duty” means full-time duty in an armed force and includes full-time National Guard duty, except that, for Reserve Component members, the term “active duty” does not include training duties or attendance at service schools.

(d) the term “permanent change of station” means the assignment, detail, or transfer of a member of the Armed Forces serving at a present permanent

duty station to a different permanent duty station under a competent authorization or order that does not:

- (i) specify the duty as temporary;
- (ii) provide for assignment, detail, or transfer, after that different permanent duty station, to a further different permanent duty station; or (iii) direct return to the present permanent duty station; and
- (e) the term “totally disabled retired or separated member” means a member of the Armed Forces who:
  - (i) retired under chapter 61 of title 10, United States Code, with a disability rating at the time of retirement of 100 per cent; or (ii) retired or separated from the Armed Forces and has a disability rating of 100 per cent from the Department of Veterans Affairs.

**Sec. 3. *Noncompetitive Appointment Authority.*** Consistent with the policy set forth in section 1 of this order and such regulations as the Director of the Office of Personnel Management may prescribe, the head of an agency may make a noncompetitive appointment to any position in the competitive service, for which the individual is qualified, of an individual who is:

- (a) the spouse of a member of the Armed Forces who, as determined by the Secretary of Defense, is performing active duty pursuant to orders that authorize a permanent change of station move, if such spouse relocates to the member’s new permanent duty station;
- (b) the spouse of a totally disabled retired or separated member of the Armed Forces; or
- (c) the unmarried widow or widower of a member of the Armed Forces killed while performing active duty.

**Sec. 4. *Administrative Provisions.*** The heads of agencies shall employ, as appropriate, appointment authority available to them, in addition to the authority granted by section 3 of this order, to carry out the policy set forth in section 1.

**Sec. 5. *General Provisions.*** (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) authority granted by law to a department or agency or the head thereof; and
  - (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative functions.
- (b) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
September 25, 2008.



**Executive Order 13474 of September 26, 2008****Amendments to Executive Order 12962**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to conserve, restore, and enhance aquatic systems to provide for increased recreational fishing opportunities nationwide, it is hereby ordered as follows:

**Section 1.** Executive Order 12962 of June 7, 1995, is hereby amended: (a) in the preamble, by striking “and the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801–1882)” and inserting before “, and other pertinent statutes,” the following:

“the National Marine Sanctuaries Act of 1972 (16 U.S.C. 1431 *et seq.*), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-ee), the National Park Service Organic Act (16 U.S.C. 1 *et seq.*), the National Historic Preservation Act (16 U.S.C. 470 *et seq.*), Wilderness Act (16 U.S.C. 1131 *et seq.*), the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), the Coastal Zone Management Act (16 U.S.C. 1451 *et seq.*), the Outer Continental Shelf Lands Act (43 U.S.C. 1331 *et seq.*)”; and

(b) by redesignating subsections (d) through (i) in section 1 as subsections (e) through (j), respectively, and inserting after subsection (c) the following new subsection:

“(d) ensuring that recreational fishing shall be managed as a sustainable activity in national wildlife refuges, national parks, national monuments, national marine sanctuaries, marine protected areas, or any other relevant conservation or management areas or activities under any Federal authority, consistent with applicable law;”.

**Sec. 2.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
September 26, 2008.

**Executive Order 13475 of October 7, 2008****Further Amendments To Executive Orders 12139 And 12949  
In Light of the Foreign Intelligence Surveillance Act of 1978  
Amendments Act of 2008**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 104 and 303 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 *et seq.*), as amended by the Foreign Intelligence Surveillance Act of 1978 Amendments Act of 2008 (Public Law 110–261), it is hereby ordered as follows:

**EO 13476****Title 3—The President**

**Section 1.** Section 1–103 of Executive Order 12139 of May 23, 1979, as amended, is further amended by:

- (a) striking “(7)” each place it appears and inserting in lieu thereof “(6)”;
- (b) adding after subsection (h) “(i) Deputy Director of the Federal Bureau of Investigation.”; and
- (c) by adding after the sentence that begins “None of the above officials . . .”, a new sentence to read “The requirement of the preceding sentence that the named official must be appointed by the President with the advice and consent of the Senate does not apply to the Deputy Director of the Federal Bureau of Investigation.”

**Sec. 2.** Section 3 of Executive Order 12949 of February 9, 1995, as amended, is further amended by:

- (a) striking “(7)” each place it appears and inserting in lieu thereof “(6)”;
- (b) striking “and” at the end of subsection (g);
- (c) striking the period at the end of subsection (h) and inserting in lieu thereof “; and”;
- (d) adding after subsection (h) “(i) Deputy Director of the Federal Bureau of Investigation.”; and
- (e) by adding after the sentence that begins “None of the above officials . . .”, a new sentence to read “The requirement of the preceding sentence that the named official must be appointed by the President with the advice and consent of the Senate does not apply to the Deputy Director of the Federal Bureau of Investigation.”

**Sec. 3.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
October 7, 2008.

**Executive Order 13476 of October 9, 2008****Facilitation of a Presidential Transition**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 7301 of title 5, United States Code, and the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) (IRTPA), and in order to further the purposes of the Presidential Transition Act of 1963, as amended, and to assist the presidential transition, it is hereby ordered as follows:

**Section 1. Presidential Transition Coordination.** (a) To assist and support the transition efforts of the transition teams for the “major party” “candidates,” as those terms are used in the IRTPA and defined in section 9002(2) and (6) of the Internal Revenue Code of 1986 (26 U.S.C. 9002(2), (6)), and the President-elect, there is established a Presidential Transition Coordinating Council (Council).

(b) The Council shall be composed of the following officials or their designees:

- (i) Chief of Staff to the President, who shall serve as Chair;
- (ii) Assistant to the President and Deputy Chief of Staff for Operations, who shall serve as Vice Chair;
- (iii) Assistant to the President and Deputy Chief of Staff for Policy;
- (iv) Counsel to the President;
- (v) Assistant to the President for Presidential Personnel;
- (vi) Assistant to the President for National Security Affairs;
- (vii) Assistant to the President for Homeland Security and Counterterrorism;
- (viii) Assistant to the President for Economic Policy and Director, National Economic Council;
- (ix) Attorney General;
- (x) Director of National Intelligence;
- (xi) Director of the Office of Management and Budget;
- (xii) Director of the Office of Personnel Management;
- (xiii) Administrator of General Services;
- (xiv) Archivist of the United States;
- (xv) Director of the Office of Government Ethics; and
- (xvi) Such others as the President or the Chair of the Council may select.

(c) The Council shall assist the major party candidates and the President-elect by making every reasonable effort to facilitate the transition between administrations. This assistance may include, among other things, providing information relevant to facilitating the personnel aspects of a presidential transition and such other information that, in the Council's judgment, is useful and appropriate, as long as providing such information is not otherwise prohibited by law.

(d) In order to obtain a wide range of facts and information on prior transitions and best practices, the Council, its members, or their designees may, from time to time, seek information from private individuals, including individuals within outside organizations, who have significant experience or expertise in presidential transitions. The Council, its members, or their designees shall endeavor to obtain such facts and information from individuals representing a range of bipartisan or nonpartisan viewpoints. If the Council, its members, or their designees find it necessary to seek advice from private individuals or outside organizations, such counsel should be sought in a manner that seeks individual advice and does not involve collective judgment or deliberation.

(e) It shall be the policy of the Council to provide appropriate information and assistance to the major party candidates on an equal basis and without regard for party affiliation.

**Sec. 2. *Transition Activities and Materials.*** (a) At the direction of the Council or its designee(s), the Administrator of General Services shall coordinate

orientation activities with the appropriate agencies, including the Office of Government Ethics and the Office of Personnel Management, for key prospective presidential appointees.

(b) At the direction of the Council or its designee(s), the White House Office of Presidential Personnel shall supplement as appropriate and necessary the electronic record of all title 5 presidentially appointed positions provided by the Office of Personnel Management to the major party candidates pursuant to section 8403(b) of IRTPA.

(c) The Suitability and Security Clearance Performance Accountability Council shall coordinate with the Council when performing those functions authorized by Executive Order 13467 of June 30, 2008, that are necessary to assist in transition-related activities.

(d) At the direction of the Council or its designee(s), executive departments and agencies shall prepare a set of briefing materials for new political appointees before the inauguration of the President-elect. The current Administration shall work with the incoming transition team to provide copies of all such materials.

(e) At the direction of the Council or its designee(s) and consistent with the Presidential Transition Act of 1963, as amended, the Administrator of General Services, in consultation with the Archivist of the United States and other appropriate agencies, shall develop a Transition Directory. This directory shall include Federal publications and other materials that provide information on each executive department and agency.

**Sec. 3. *Transition Agreements.*** To assist and support the transition, transition agreements between the White House or appropriate executive branch departments and agencies and the transition teams for the major party candidates and the President-elect will be entered into, as necessary, regarding transition procedures and identification of transition contacts.

**Sec. 4. *General Provisions.*** (a) In order to take appropriate account of the transition reforms made by IRTPA and to further update and clarify the presidential transition process, this order supersedes Executive Order 13176 of November 27, 2000.

(b) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to a department or agency, or the head thereof; or

(ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(c) This order is intended only to facilitate the transition and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

(d) Unless extended by the President, this order shall expire on February 20, 2009.

GEORGE W. BUSH

The White House,  
October 9, 2008.

## Executive Order 13477 of October 31, 2008

**Settlement of Claims Against Libya**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and pursuant to the August 14, 2008, claims settlement agreement between the United States of America and Libya (Claims Settlement Agreement), and in recognition of the October 31, 2008, certification of the Secretary of State, pursuant to section 5(a)(2) of the Libyan Claims Resolution Act (Public Law 110–301), and in order to continue the process of normalizing relations between the United States and Libya, it is hereby ordered as follows:

**Section 1.** All claims within the terms of Article I of the Claims Settlement Agreement (Article I) are settled.

(a) Claims of United States nationals within the terms of Article I are espoused by the United States and are settled according to the terms of the Claims Settlement Agreement.

(i) No United States national may assert or maintain any claim within the terms of Article I in any forum, domestic or foreign, except under the procedures provided for by the Secretary of State.

(ii) Any pending suit in any court, domestic or foreign, by United States nationals (including any suit with a judgment that is still subject to appeal or other forms of direct judicial review) coming within the terms of Article I shall be terminated.

(iii) The Secretary of State shall provide for procedures governing applications by United States nationals with claims within the terms of Article I for compensation for those claims.

(iv) The Attorney General shall enforce this subsection through all appropriate means, which may include seeking the dismissal, with prejudice, of any claim of a United States national within the terms of Article I pending or filed in any forum, domestic or foreign.

(b) Claims of foreign nationals within the terms of Article I are settled according to the terms of the Claims Settlement Agreement.

(i) No foreign national may assert or maintain any claim coming within the terms of Article I in any court in the United States.

(ii) Any pending suit in any court in the United States by foreign nationals (including any suit with a judgment that is still subject to appeal or other forms of direct judicial review) coming within the terms of Article I shall be terminated.

(iii) Neither the dismissal of the lawsuit, nor anything in this order, shall affect the ability of any foreign national to pursue other available remedies for claims coming within the terms of Article I in foreign courts or through the efforts of foreign governments.

(iv) The Attorney General shall enforce this subsection through all appropriate means, which may include seeking the dismissal, with prejudice, of any claim of a foreign national within the terms of Article I pending or filed in any court in the United States.

**Sec. 2.** For purposes of this order:

**EO 13478****Title 3—The President**

(a) The term “United States national” has the same meaning as “national of the United States” in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)), but also includes any entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches).

(b) The term “foreign national” means any person other than a United States national.

(c) The term “person” means any individual or entity, including both natural and juridical persons.

(d) The term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization.

**Sec. 3.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,  
October 31, 2008.

**Executive Order 13478 of November 18, 2008****Amendments To Executive Order 9397 Relating To Federal Agency Use of Social Security Numbers**

By the authority vested in me as President by the Constitution and laws of the United States of America, it is hereby ordered as follows:

**Section 1. Policy.** It is the policy of the United States that Federal agencies should conduct agency activities that involve personal identifiers in a manner consistent with protection of such identifiers against unlawful use.

**Sec. 2. Amendments to Executive Order 9397.** Executive Order 9397 of November 22, 1943, is amended:

(a) in paragraph 1 by:

(i) striking “shall” and inserting in lieu thereof “may”;

(ii) striking “exclusively”;

(iii) striking “Title 26, section 402.502” and inserting in lieu thereof “title 20, section 422.103”; and

(iv) striking “the 1940 Supplement to”;

(b) by striking “Bureau of the Budget” in paragraph 5 and inserting in lieu thereof “Office of Management and Budget”;

(c) by renumbering paragraph 6 as paragraph 8;

(d) by inserting immediately following paragraph 5 the following new paragraphs:

“6. This order shall be implemented in accordance with applicable law and subject to the availability of appropriations.

“7. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.”; and

(e) by striking “Board” each place it appears and inserting in lieu thereof in each such place “Administration”.

**Sec. 3.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
November 18, 2008.

#### Executive Order 13479 of November 18, 2008

### Transformation of the National Air Transportation System

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

**Section 1. Policy.** It is the policy of the United States to establish and maintain a national air transportation system that meets the present and future civil aviation, homeland security, economic, environmental protection, and national defense needs of the United States, including through effective implementation of the Next Generation Air Transportation System (NextGen).

**Sec. 2. Definitions.** As used in this order the term “Next Generation Air Transportation System” means the system to which section 709 of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176) (Act) refers.

**Sec. 3. Functions of the Secretary of Transportation.** Consistent with sections 709 and 710 of the Act and the policy set forth in section 1 of this order, the Secretary of Transportation shall:

(a) take such action within the authority of the Secretary, and recommend as appropriate to the President such action as is within the authority of the President, to implement the policy set forth in section 1 of this order and in particular to implement the NextGen in a safe, secure, timely, environmentally sound, efficient, and effective manner;

(b) convene quarterly, unless the Secretary determines that meeting less often is consistent with effective implementation of the policy set forth in section 1 of this order, the Senior Policy Committee established pursuant to section 710 of the Act (Committee);

(c) not later than 60 days after the date of this order, establish within the Department of Transportation a support staff (Staff), including employees from departments and agencies assigned pursuant to subsection 4(e) of this order, to support, as directed by the Secretary, the Secretary and the Committee in the performance of their duties relating to the policy set forth in section 1 of this order; and

(d) not later than 180 days after the date of this order, establish an advisory committee to provide advice to the Secretary and, through the Secretary, the Committee concerning the implementation of the policy set forth in section 1 of this order, including aviation-related subjects and any related performance measures specified by the Secretary, pursuant to section 710 of the Act.

**Sec. 4. *Functions of Other Heads of Executive Departments and Agencies.*** Consistent with the policy set forth in section 1 of this order:

(a) the Secretary of Defense shall assist the Secretary of Transportation by:

(i) collaborating, as appropriate, and verifying that the NextGen meets the national defense needs of the United States consistent with the policies and plans established under applicable Presidential guidance; and

(ii) furnishing, as appropriate, data streams to integrate national defense capabilities of the United States civil and military systems relating to the national air transportation system, and coordinating the development of requirements and capabilities to address tracking and other activities relating to non-cooperative aircraft in consultation with the Secretary of Homeland Security, as appropriate;

(b) the Secretary of Commerce shall:

(i) develop and make available, as appropriate, the capabilities of the Department of Commerce, including those relating to aviation weather and spectrum management, to support the NextGen; and

(ii) take appropriate account of the needs of the NextGen in the trade, commerce, and other activities of the Department of Commerce, including those relating to the development and setting of standards;

(c) the Secretary of Homeland Security shall assist the Secretary of Transportation by ensuring that:

(i) the NextGen includes the aviation-related security capabilities necessary to ensure the security of persons, property, and activities within the national air transportation system consistent with the policies and plans established under applicable Presidential guidance; and

(ii) the Department of Homeland Security shall continue to carry out all statutory and assigned responsibilities relating to aviation security, border security, and critical infrastructure protection in consultation with the Secretary of Defense, as appropriate;

(d) the Administrator of the National Aeronautics and Space Administration shall carry out the Administrator's duties under Executive Order 13419 of December 20, 2006, in a manner consistent with that order and the policy set forth in section 1 of this order;

(e) the heads of executive departments and agencies shall provide to the Secretary of Transportation such information and assistance, including personnel and other resources for the Staff to which subsection 3(c) of this order refers, as may be necessary and appropriate to implement this order as agreed to by the heads of the departments and agencies involved; and

(f) the Director of the Office of Management and Budget may issue such instructions as may be necessary to implement subsection 5(b) of this order.



**Sec. 5. *Additional Functions of the Senior Policy Committee.*** In addition to performing the functions specified in section 710 of the Act, the Committee shall:

(a) report not less often than every 2 years to the President, through the Secretary of Transportation, on progress made and projected to implement the policy set forth in section 1 of this order, together with such recommendations including performance measures for administrative or other action as the Committee determines appropriate;

(b) review the proposals by the heads of executive departments and agencies to the Director of the Office of Management and Budget with respect to programs affecting the policy set forth in section 1 of this order, and make recommendations including performance measures thereon, through the Secretary of Transportation, to the Director; and

(c) advise the Secretary of Transportation and, through the Secretary of Transportation, the Secretaries of Defense, Commerce, and Homeland Security, and the Administrator of the National Aeronautics and Space Administration, with respect to the activities of their departments and agencies in the implementation of the policy set forth in section 1 of this order.

**Sec. 6. *General Provisions.*** (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to a department or agency, or the head thereof; or

(ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
November 18, 2008.

#### **Executive Order 13480 of November 26, 2008**

### **Exclusions From the Federal Labor-Management Relations Program**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 7103(b)(1) of title 5, United States Code, and in order to reflect the effects of the reorganization and restructuring of the Departments of Energy, Homeland Security, Justice, Transportation, and the Treasury on their subdivisions exempted from coverage under the Federal Labor-Management Relations Program, it is hereby ordered as follows:

**Section 1. *Determinations.*** The subdivisions of the Departments of Energy, Homeland Security, Justice, Transportation, and the Treasury set forth in sections 2 through 6 of this order are hereby determined to have as a primary function intelligence, counterintelligence, investigative, or national security work. It is further determined that chapter 71 of title 5, United States Code, cannot be applied to these subdivisions in a manner consistent with national security requirements and considerations.

**Sec. 2. *Department of Energy.*** Executive Order 12171 of November 19, 1979, as amended, is further amended by revising section 1–210 to read as follows:

“1–210. Agencies or subdivisions of the Department of Energy:

- (a) The National Nuclear Security Administration.
- (b) The Office of Intelligence.
- (c) The Office of Counterintelligence.
- (d) The Office of Intelligence and Counterintelligence.
- (e) The Savannah River Operations Office.”

**Sec. 3. *Department of Homeland Security.*** Executive Order 12171 of November 19, 1979, as amended, is further amended by revising section 1–214 to read as follows:

“1–214. Agencies or subdivisions of the Department of Homeland Security:

- (a) Office of the Military Advisor.
- (b) The following office within the Management Directorate:
  - (1) Office of Security.
- (c) Office of Operations Coordination.
- (d) Office of Counternarcotics Enforcement.
- (e) Office of Intelligence and Analysis.
- (f) Domestic Nuclear Detection Office.
- (g) The following offices and subdivisions within the United States Coast Guard:
  - (1) Maritime Intelligence Fusion Centers, Atlantic.
  - (2) Pacific Area Intelligence Division.
  - (3) Intelligence Coordination Center.
  - (4) Coast Guard Investigative Service.
  - (5) Coast Guard Security Center.
- (h) The following offices and subdivisions within United States Immigration and Customs Enforcement:
  - (1) The Office of Investigations.
  - (2) The Office of International Affairs.
  - (3) The Office of Intelligence.
  - (4) The National Incident Response Unit.
- (i) The following office within the Transportation Security Administration:

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(1) The Office of Law Enforcement/Federal Air Marshal Service.

(j) The following office within United States Customs and Border Protection:

(1) The Office of Intelligence and Operations Coordination.

(k) The following offices and subdivisions within the Federal Emergency Management Agency:

(1) The following offices and subdivisions within the Office of National Continuity Programs:

(A) The Office of the Assistant Administrator.

(B) The Operations Division.

(C) The Continuity of Operations Division.

(D) The Readiness Division.

(E) The Integrated Public Alert and Warning Systems Division.

(2) The following subdivisions within the Disaster Operations Directorate:

(A) The Mobile Emergency Response Support Operations, including Mobile Emergency Response Support Detachments.

(B) The FEMA Operations Center.

(C) The Alternate FEMA Operations Center.“

**Sec. 4.** *Department of Justice.* Executive Order 12171 of November 19, 1979, as amended, is further amended by:

(a) revising subsection (g) of section 1–209 to read as follows:

“(g) National Security Division.”; and

(b) adding to the end of section 1–209 the following new subsection:

“(h) Bureau of Alcohol, Tobacco, Firearms, and Explosives.”

**Sec. 5.** *Department of Transportation.* Executive Order 12171 of November 19, 1979, as amended, is further amended by revising section 1–213 to read as follows:

“1–213. The following subdivision of the Federal Aviation Administration (FAA), Department of Transportation: National Security Coordination Division, Office of Emergency Operations and Investigations, FAA Office of Security and Hazardous Materials.”

**Sec. 6.** *Department of the Treasury.* Executive Order 12171 of November 19, 1979, as amended, is further amended by revising section 1–203 to read as follows:

“1–203. Agencies or subdivisions of the Department of the Treasury:

(a) The Office of Terrorism and Financial Intelligence.

(b) The Financial Crimes Enforcement Network.

(c) Criminal Investigation, Internal Revenue Service.

(d) The Trade Analysis and Enforcement Division, Alcohol and Tobacco Tax and Trade Bureau.“

**Sec. 7.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party

**EO 13481**

**Title 3—The President**

against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
*November 26, 2008.*

**Executive Order 13481 of December 9, 2008**

**Providing An Order of Succession Within the Department of Justice**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.*, it is hereby ordered that:

**Section 1.** Subject to the provisions of section 2 of this order, the following officers, in the order listed, shall act as and perform the functions and duties of the office of Attorney General, during any period in which the Attorney General, the Deputy Attorney General, the Associate Attorney General, and the officers designated by the Attorney General pursuant to 28 U.S.C. 508 to act as Attorney General have died, resigned, or otherwise become unable to perform the functions and duties of the office of Attorney General, until such time as at least one of the officers mentioned above is able to perform the functions and duties of that office:

- (a) United States Attorney for the District of Maryland;
- (b) United States Attorney for the Southern District of Alabama; and
- (c) United States Attorney for the Northern District of Georgia.

**Sec. 2. Exceptions.** (a) No individual who is serving in an office listed in section 1 of this order in an acting capacity, by virtue of so serving, shall act as Attorney General pursuant to this order.

(b) No individual listed in section 1 shall act as Attorney General unless that individual is otherwise eligible to so serve under the Federal Vacancies Reform Act of 1998.

(c) Notwithstanding the provisions of this order, the President retains discretion, to the extent permitted by law, to depart from this order in designating an acting Attorney General.

**Sec. 3.** This order supersedes the President's Memorandum for the Attorney General of December 8, 2006 (Designation of Officers of the Department of Justice).

**Sec. 4.** This order is intended to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
*December 9, 2008.*

Executive Order 13482 of December 12, 2008

### **Closing of Executive Departments and Agencies of the Federal Government on Friday, December 26, 2008**

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

**Section 1.** All executive branch departments and agencies of the Federal Government shall be closed and their employees excused from duty on Friday, December 26, 2008, the day after Christmas Day, except as provided in section 2 of this order.

**Sec. 2.** The heads of executive branch departments and agencies may determine that certain offices and installations of their organizations, or parts thereof, must remain open and that certain employees must report for duty on December 26, 2008, for reasons of national security or defense or other public need.

**Sec. 3.** Friday, December 26, 2008, shall be considered as falling within the scope of Executive Order 11582 of February 11, 1971, and of 5 U.S.C. 5546 and 6103(b) and other similar statutes insofar as they relate to the pay and leave of employees of the United States.

**Sec. 4.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,  
December 12, 2008.

Executive Order 13483 of December 18, 2008

### **Adjustments of Certain Rates of Pay**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the laws cited herein, it is hereby ordered as follows:

**Section 1. Statutory Pay Systems.** The rates of basic pay or salaries of the statutory pay systems (as defined in 5 U.S.C. 5302(1)), as adjusted under 5 U.S.C. 5303(a), are set forth on the schedules attached hereto and made a part hereof:

(a) The General Schedule (5 U.S.C. 5332(a)) at Schedule 1;

(b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and

(c) The schedules for the Veterans Health Administration of the Department of Veterans Affairs (38 U.S.C. 7306, 7404; section 301(a) of Public Law 102-40) at Schedule 3.

**Sec. 2. Senior Executive Service.** The ranges of rates of basic pay for senior executives in the Senior Executive Service, as established pursuant to 5

**EO 13483**

**Title 3—The President**

U.S.C. 5382, are set forth on Schedule 4 attached hereto and made a part hereof.

**Sec. 3. *Certain Executive, Legislative, and Judicial Salaries.*** The rates of basic pay or salaries for the following offices and positions are set forth on the schedules attached hereto and made a part hereof:

(a) The Executive Schedule (5 U.S.C. 5312–5318) at Schedule 5;

(b) The Vice President (3 U.S.C. 104) and the Congress (2 U.S.C. 31) at Schedule 6; and

(c) Justices and judges (28 U.S.C. 5, 44(d), 135, 252, and 461(a), section 140 of Public Law 97–92, and section 305 of Division D of the Consolidated Appropriations Act, 2008), at Schedule 7.

**Sec. 4. *Uniformed Services.*** The rates of monthly basic pay (37 U.S.C. 203(a)) for members of the uniformed services, as adjusted under 37 U.S.C. 1009, and section 601 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417, October 14, 2008), and the rate of monthly cadet or midshipman pay (37 U.S.C. 203(c)) are set forth on Schedule 8 attached hereto and made a part hereof.

**Sec. 5. *Locality-Based Comparability Payments.*** (a) Pursuant to section 5304 of title 5, United States Code, and section 142 of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–329, September 30, 2008), locality-based comparability payments shall be paid in accordance with Schedule 9 attached hereto and made a part hereof.

(b) The Director of the Office of Personnel Management shall take such actions as may be necessary to implement these payments and to publish appropriate notice of such payments in the *Federal Register*.

**Sec. 6. *Administrative Law Judges.*** The rates of basic pay for administrative law judges, as adjusted under 5 U.S.C. 5372(b)(4), are set forth on Schedule 10 attached hereto and made a part hereof.

**Sec. 7. *Effective Dates.*** Schedule 8 is effective January 1, 2009. The other schedules contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 2009.

**Sec. 8. *Prior Order Superseded.*** Executive Order 13454 of January 4, 2008, is superseded.

GEORGE W. BUSH

The White House,  
December 18, 2008.

**SCHEDULE 1--GENERAL SCHEDULE**

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2009)

	1	2	3	4	5	6	7	8	9	10
GS-1	\$17,540	\$18,126	\$18,709	\$19,290	\$19,873	\$20,216	\$20,792	\$21,373	\$21,396	\$21,944
GS-2	19,721	20,190	20,842	21,396	21,635	22,271	22,907	23,543	24,179	24,815
GS-3	21,517	22,234	22,951	23,668	24,385	25,102	25,819	26,536	27,253	27,970
GS-4	24,156	24,961	25,766	26,571	27,376	28,181	28,986	29,791	30,596	31,401
GS-5	27,026	27,927	28,828	29,729	30,630	31,531	32,432	33,333	34,234	35,135
GS-6	30,125	31,129	32,133	33,137	34,141	35,145	36,149	37,153	38,157	39,161
GS-7	33,477	34,593	35,709	36,825	37,941	39,057	40,173	41,289	42,405	43,521
GS-8	37,075	38,311	39,547	40,783	42,019	43,255	44,491	45,727	46,963	48,199
GS-9	40,949	42,314	43,679	45,044	46,409	47,774	49,139	50,504	51,869	53,234
GS-10	45,095	46,598	48,101	49,604	51,107	52,610	54,113	55,616	57,119	58,622
GS-11	49,544	51,195	52,846	54,497	56,148	57,799	59,450	61,101	62,752	64,403
GS-12	59,383	61,362	63,341	65,320	67,299	69,278	71,257	73,236	75,215	77,194
GS-13	70,615	72,969	75,323	77,677	80,031	82,385	84,739	87,093	89,447	91,801
GS-14	83,445	86,227	89,009	91,791	94,573	97,355	100,137	102,919	105,701	108,483
GS-15	98,156	101,428	104,700	107,972	111,244	114,516	117,788	121,060	124,332	127,604

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**SCHEDULE 2--FOREIGN SERVICE SCHEDULE**

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2009)

Step	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8	Class 9
1	\$98,156	\$79,535	\$64,447	\$52,221	\$42,314	\$37,828	\$33,817	\$30,231	\$27,026
2	101,101	81,921	66,380	53,788	43,583	38,963	34,832	31,138	27,837
3	104,134	84,379	68,372	55,401	44,891	40,132	35,876	32,072	28,672
4	107,258	86,910	70,423	57,063	46,238	41,336	36,953	33,034	29,532
5	110,475	89,517	72,536	58,775	47,625	42,576	38,061	34,025	30,418
6	113,790	92,203	74,712	60,538	49,054	43,853	39,203	35,046	31,331
7	117,203	94,969	76,953	62,355	50,525	45,169	40,379	36,097	32,270
8	120,719	97,818	79,262	64,225	52,041	46,524	41,591	37,180	33,239
9	124,341	100,753	81,640	66,152	53,602	47,919	42,838	38,296	34,236
10	127,604	103,775	84,089	68,137	55,210	49,357	44,124	39,445	35,263
11	127,604	106,888	86,611	70,181	56,866	50,838	45,447	40,628	36,321
12	127,604	110,095	89,210	72,286	58,572	52,363	46,811	41,847	37,410
13	127,604	113,398	91,886	74,455	60,330	53,934	48,215	43,102	38,533
14	127,604	116,800	94,643	76,688	62,140	55,552	49,661	44,395	39,689



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**SCHEDULE 3--VETERANS HEALTH ADMINISTRATION SCHEDULES  
DEPARTMENT OF VETERANS AFFAIRS**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2009)

Schedule for the Office of the Under Secretary for Health  
(38 U.S.C. 7306)\*

Assistant Under Secretaries for Health . . . . . \$154,955\*\*  
(Only applies to incumbents who are not physicians or dentists)

	<u>Minimum</u>	<u>Maximum</u>
Service Directors . . . . .	\$115,117	\$142,968
Director, National Center for Preventive Health . . . . .	98,156	142,968

Physician and Dentist Base and Longevity Schedule\*\*\*

Physician Grade . . . . .	\$96,539	\$141,591
Dentist Grade . . . . .	96,539	141,591

Clinical Podiatrist, Chiropractor, and Optometrist Schedule

Chief Grade . . . . .	\$98,156	\$127,604
Senior Grade. . . . .	83,445	108,483
Intermediate Grade. . . . .	70,615	91,801
Full Grade. . . . .	59,383	77,194
Associate Grade . . . . .	49,544	64,403

Physician Assistant and Expanded-Function  
Dental Auxiliary Schedule \*\*\*\*

Director Grade. . . . .	\$98,156	\$127,604
Assistant Director Grade. . . . .	83,445	108,483
Chief Grade . . . . .	70,615	91,801
Senior Grade. . . . .	59,383	77,194
Intermediate Grade. . . . .	49,544	64,403
Full Grade. . . . .	40,949	53,234
Associate Grade . . . . .	35,237	45,812
Junior Grade. . . . .	30,125	39,161

\* This schedule does not apply to the Deputy Under Secretary for Health, the Associate Deputy Under Secretary for Health, Assistant Under Secretaries for Health who are physicians or dentists, Medical Directors, the Assistant Under Secretary for Nursing Programs, or the Director of Nursing Services.

\*\* Pursuant to 38 U.S.C. 7404(d), the rate of basic pay payable to these employees is limited to the rate for level V of the Executive Schedule, which is \$143,500.

\*\*\* Pursuant to section 3 of Public Law 108-445 and 38 U.S.C. 7431, Veterans Health Administration physicians and dentists may also be paid market pay and performance pay.

\*\*\*\* Pursuant to section 301(a) of Public Law 102-40, these positions are paid according to the Nurse Schedule in 38 U.S.C. 4107(b), as in effect on August 14, 1990, with subsequent adjustments.

**SCHEDULE 4--SENIOR EXECUTIVE SERVICE**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2009)

Agencies with a Certified SES	<u>Minimum</u>	<u>Maximum</u>
Performance Appraisal System . . . . .	\$117,787	\$177,000
Agencies without a Certified SES		
Performance Appraisal System . . . . .	\$117,787	\$162,900

**SCHEDULE 5--EXECUTIVE SCHEDULE**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2009)

Level I . . . . .	\$196,700
Level II . . . . .	177,000
Level III. . . . .	162,900
Level IV . . . . .	153,200
Level V . . . . .	143,500

**SCHEDULE 6--VICE PRESIDENT AND MEMBERS OF CONGRESS**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2009)

Vice President . . . . .	\$227,300
Senators . . . . .	174,000
Members of the House of Representatives. . . . .	174,000
Delegates to the House of Representatives. . . . .	174,000
Resident Commissioner from Puerto Rico . . . . .	174,000
President pro tempore of the Senate. . . . .	193,400
Majority leader and minority leader of the Senate. . . . .	193,400
Majority leader and minority leader of the House of Representatives . . . . .	193,400
Speaker of the House of Representatives. . . . .	223,500

**SCHEDULE 7--JUDICIAL SALARIES**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2008)

Chief Justice of the United States . . . . .	\$217,400
Associate Justices of the Supreme Court. . . . .	208,100
Circuit Judges . . . . .	179,500
District Judges. . . . .	169,300
Judges of the Court of International Trade . . . . .	169,300

**SCHEDULE 8-PAY OF THE UNIFORMED SERVICES**  
(Effective January 1, 2009)

**PART I-MONETARY BASIC PAY**

**YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)**

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18
O-10**	-	-	-	-	-	-	-	-	-	-	-
O-9	-	-	-	-	-	-	-	-	-	-	-
O-8	\$9,090.00	\$9,387.60	\$9,585.30	\$9,640.50	\$9,887.10	\$10,299.00	\$10,395.00	\$10,786.20	\$10,898.10	\$11,235.30	\$11,722.50
O-7	7,553.10	7,904.10	8,066.40	8,195.40	8,429.10	8,660.10	8,926.80	9,192.30	9,460.20	10,299.00	11,007.30
O-6	5,598.30	6,150.30	6,553.80	6,553.80	6,578.70	6,860.70	6,897.90	6,897.90	7,290.00	7,983.30	8,390.10
O-5	4,666.80	5,257.20	5,621.40	5,621.40	5,616.60	6,052.80	6,351.60	6,570.60	6,853.80	7,287.30	7,493.40
O-4	4,026.90	4,661.40	4,972.20	5,041.80	5,330.40	5,640.00	6,025.20	6,325.50	6,534.30	6,654.00	6,723.30
O-3***	3,540.30	4,013.40	4,332.00	4,722.90	4,948.80	5,197.20	5,358.00	5,622.30	5,759.70	5,759.70	5,759.70
O-2****	3,058.80	3,483.90	4,012.50	4,148.10	4,233.30	4,233.30	4,233.30	4,233.30	4,233.30	4,233.30	4,233.30
O-1****	2,655.30	2,763.60	3,340.50	3,340.50	3,340.50	3,340.50	3,340.50	3,340.50	3,340.50	3,340.50	3,340.50
<b>COMMISSIONED OFFICERS WITH OVER 4 YEARS ACTIVE DUTY SERVICE</b>											
<b>AS AN ENLISTED MEMBER ON WARRANT</b>											
O-32	-	-	-	\$4,722.30	\$4,722.30	\$5,167.20	\$5,259.00	\$5,622.30	\$5,844.90	\$5,972.70	\$6,146.70
O-2E	-	-	-	4,148.10	4,148.10	4,358.30	4,585.70	4,771.50	4,902.30	4,902.30	4,902.30
O-1E	-	-	-	3,340.50	3,340.50	3,699.30	3,834.30	3,966.60	4,148.10	4,148.10	4,148.10
<b>WARRANT OFFICERS</b>											
W-5	\$3,658.50	\$3,935.70	\$4,048.80	\$4,159.80	\$4,351.20	\$4,540.50	\$4,732.20	\$5,021.10	\$5,274.00	\$5,514.60	\$5,711.40
W-4	3,340.50	3,480.30	3,622.80	3,669.90	3,819.60	4,114.20	4,420.80	4,565.10	4,731.90	4,904.10	5,213.10
W-3	2,956.50	3,236.10	3,322.20	3,381.60	3,573.30	3,871.20	4,018.80	4,164.30	4,341.90	4,480.80	4,606.80
W-2	2,595.30	2,874.00	2,949.60	3,108.30	3,296.10	3,572.70	3,701.70	3,882.30	4,059.90	4,199.40	4,328.10

\* Basic pay is limited to the rate of basic pay for level II of the Executive Schedule, which is \$14,750.10 per month for officers at pay grades O-7 through O-10, and limited to the rate of basic pay for level V of the Executive Schedule, which is \$11,958.30 per month, for officers at O-6 and below.

\*\* For officers serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, Commandant of the Coast Guard, or commander of a unified or specified combatant command (as defined in 10 U.S.C. 161(c)), basic pay for this grade is calculated to be \$19,326.60 per month, regardless of cumulative years of service computed under 37 U.S.C. 205. Nevertheless, actual basic pay for these officers is limited to the rate of basic pay for level II of the Executive Schedule, which is \$14,750.10 per month.

\*\*\* Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

\*\*\*\* Reservists with at least 1,460 points as an enlisted member and/or warrant officer which are creditable toward reserve retirement also qualify for these rates.

**SCHEDULE 8-PAY OF THE UNIFORMED SERVICES (PAGE 2)**  
(Effective January 1, 2009)

**Part I-MONTHLY BASIC PAY**

Pay Grade	YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)									
	Over 20	Over 22	Over 24	Over 26	Over 28	Over 30	Over 32	Over 34	Over 36	Over 38
O-10**	\$14,688.60	\$14,760.30*	\$15,067.20*	\$15,602.10*	\$15,602.10*	\$16,382.10*	\$16,382.10*	\$17,201.10*	\$17,201.10*	\$18,061.20*
O-9	12,846.90	13,032.00	13,299.30	13,765.80	13,765.80	14,454.60	14,454.60	15,177.30*	15,177.30*	15,936.00*
O-8	12,172.20	12,472.50	12,472.50	12,472.50	12,472.50	12,784.50	12,784.50	13,104.30	13,104.30	13,404.30
O-7	11,007.30	11,007.30	11,007.30	11,063.10	11,063.10	11,284.50	11,284.50	11,284.50	11,284.50	11,284.50
O-6	8,796.60	9,027.90	9,262.20	9,716.70	9,716.70	9,910.80	9,910.80	9,910.80	9,910.80	9,910.80
O-5	7,697.40	7,928.70	7,928.70	7,928.70	7,928.70	7,928.70	7,928.70	7,928.70	7,928.70	7,928.70
O-4	6,723.30	6,723.30	6,723.30	6,723.30	6,723.30	6,723.30	6,723.30	6,723.30	6,723.30	6,723.30
O-3***	5,759.70	5,759.70	5,759.70	5,759.70	5,759.70	5,759.70	5,759.70	5,759.70	5,759.70	5,759.70
O-2***	4,233.30	4,233.30	4,233.30	4,233.30	4,233.30	4,233.30	4,233.30	4,233.30	4,233.30	4,233.30
O-1***	3,340.50	3,340.50	3,340.50	3,340.50	3,340.50	3,340.50	3,340.50	3,340.50	3,340.50	3,340.50
<b>COMMISSIONED OFFICERS WITH OVER 4 YEARS ACTIVE DUTY SERVICE</b>										
<b>AS AN ENLISTED MEMBER ON WARRANT OFFICER***</b>										
O-3E	\$6,146.70	\$6,146.70	\$6,146.70	\$6,146.70	\$6,146.70	\$6,146.70	\$6,146.70	\$6,146.70	\$6,146.70	\$6,146.70
O-2E	4,902.30	4,902.30	4,902.30	4,902.30	4,902.30	4,902.30	4,902.30	4,902.30	4,902.30	4,902.30
O-1E	4,148.10	4,148.10	4,148.10	4,148.10	4,148.10	4,148.10	4,148.10	4,148.10	4,148.10	4,148.10
<b>WARRANT OFFICERS</b>										
W-5	\$6,505.50	\$6,835.50	\$7,091.20	\$7,353.60	\$7,353.60	\$7,721.40	\$7,721.40	\$8,107.50	\$8,107.50	\$8,513.10
W-4	5,303.40	5,597.30	5,817.30	6,081.90	6,081.90	6,411.40	6,411.40	6,815.40	6,815.40	7,215.40
W-3	4,757.10	5,051.00	5,280.20	5,560.80	5,560.80	5,860.80	5,860.80	6,235.00	6,235.00	6,600.80
W-2	4,156.40	4,450.30	4,680.00	4,935.00	4,935.00	5,235.00	5,235.00	5,585.00	5,585.00	5,935.00
W-1	4,484.40	4,484.40	4,484.40	4,484.40	4,484.40	4,484.40	4,484.40	4,484.40	4,484.40	4,484.40

\* Basic pay is limited to the rate of basic pay for level II of the Executive Schedule, which is \$14,750.10 per month for officers at pay grades O-7 through O-10, and limited to the rate of basic pay for level V of the Executive Schedule, which is \$11,958.30 per month, for officers at O-6 and below.

\*\* For officers serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, Commandant of the Coast Guard, or commander of a unified or specified combatant command (as defined in 10 U.S.C. 161(c)), basic pay for this grade is calculated to be \$19,326.60 per month, regardless of cumulative years of service computed under 37 U.S.C. 205. Nevertheless, actual basic pay for these officers is limited to the rate of basic pay for level II of the Executive Schedule, which is \$14,750.10 per month.

\*\*\* Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

\*\*\*\* Reservists with at least 1,460 points as an enlisted member and/or warrant officer which are creditable toward reserve retirement also qualify for these rates.

## Executive Orders

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**SCHEDULE 8-PAY OF THE UNIFORMED SERVICES (PAGE 3)**  
**(Effective January 1, 2009)**

**Part I-MONTHLY BASIC PAY**

**YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 305)**

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18
<b>ENLISTED MEMBERS</b>											
E-9*	-	-	-	-	-	-	\$4,420.50	\$4,520.70	\$4,646.70	\$4,795.50	\$4,944.90
E-8	-	-	-	-	-	\$3,618.60	3,778.80	3,877.80	3,956.60	4,125.00	4,327.20
E-7	\$2,515.50	\$2,745.60	\$2,850.60	\$2,990.10	\$3,098.70	3,285.30	3,390.30	3,577.50	3,732.60	3,938.50	4,181.30
E-6	2,175.60	2,394.00	2,499.60	2,602.20	2,709.30	2,850.80	3,044.70	3,226.20	3,428.40	3,622.50	3,859.90
E-5	1,993.50	2,127.00	2,229.60	2,334.90	2,439.00	2,670.90	2,811.00	2,828.40	2,828.40	2,828.40	2,828.40
E-4	1,827.60	1,920.90	2,025.00	2,127.60	2,218.50	2,218.50	2,218.50	2,218.50	2,218.50	2,218.50	2,218.50
E-3	1,649.70	1,753.50	1,859.70	1,859.70	1,859.70	1,859.70	1,859.70	1,859.70	1,859.70	1,859.70	1,859.70
E-2	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70
E-1**	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50
E-1***	1,294.50	-	-	-	-	-	-	-	-	-	-

\* For noncommissioned officers serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Senior Enlisted Advisor to the Chairman of the Joint Chiefs of Staff, basic pay for this grade is \$7,143.30 per month, regardless of cumulative years of service under 37 U.S.C. 205.

\*\* Applies to personnel who have served 4 months or more on active duty.

\*\*\* Applies to personnel who have served less than 4 months on active duty.

**SCHEDULE 8-PAY OF THE UNIFORMED SERVICES (PAGE 4)**  
(Effective January 1, 2009)

**Part I-MONETLY BASIC PAY**

**YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 305)**

Pay Grade	Over 20	Over 22	Over 24	Over 26	Over 28	Over 30	Over 32	Over 34	Over 36	Over 38	Over 40
E-9*	\$5,185.20	\$5,388.00	\$5,601.90	\$5,928.30	\$5,928.30	\$6,224.70	\$6,224.70	\$6,536.10	\$6,536.10	\$6,863.10	\$6,863.10
E-8	4,474.80	4,674.90	4,785.90	5,059.50	5,059.50	5,160.90	5,160.90	5,160.90	5,160.90	5,160.90	5,160.90
E-7	3,995.40	4,142.10	4,221.00	4,521.00	4,521.00	4,521.00	4,521.00	4,521.00	4,521.00	4,521.00	4,521.00
E-6	3,369.90	3,369.90	3,369.90	3,369.90	3,369.90	3,369.90	3,369.90	3,369.90	3,369.90	3,369.90	3,369.90
E-5	2,828.40	2,828.40	2,828.40	2,828.40	2,828.40	2,828.40	2,828.40	2,828.40	2,828.40	2,828.40	2,828.40
E-4	2,218.50	2,218.50	2,218.50	2,218.50	2,218.50	2,218.50	2,218.50	2,218.50	2,218.50	2,218.50	2,218.50
E-3	1,859.70	1,859.70	1,859.70	1,859.70	1,859.70	1,859.70	1,859.70	1,859.70	1,859.70	1,859.70	1,859.70
E-2	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70	1,568.70
E-1**	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50	1,399.50
E-1***	-	-	-	-	-	-	-	-	-	-	-

**ENLISTED MEMBERS**

\* For noncommissioned officers serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Senior Enlisted Advisor to the Chairman of the Joint Chiefs of Staff, basic pay for this grade is \$7,143.30 per month, regardless of cumulative years of service under 37 U.S.C. 205.

\*\* Applies to personnel who have served 4 months or more on active duty.

\*\*\* Applies to personnel who have served less than 4 months on active duty.

**Executive Orders**

**EO 13483**

**SCHEDULE 8-PAY OF THE UNIFORMED SERVICES (PAGE 5)**

**Part II-RATE OF MONTHLY CADET OR MIDSHIPMAN PAY**

The rate of monthly cadet or midshipman pay authorized by 37 U.S.C. 203(c) is \$929.40.

Note: As a result of the enactment of sections 602-694 of Public Law 105-85, the National Defense Authorization Act for Fiscal Year 1998, the Secretary of Defense now has the authority to adjust the rates of basic allowances for subsistence and housing. Therefore, these allowances are no longer adjusted by the President in conjunction with the adjustment of basic pay for members of the uniformed services. Accordingly, the tables of allowances included in previous orders are not included here.

## Title 3—The President

**SCHEDULE 9--LOCALITY-BASED COMPARABILITY PAYMENTS**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2009)

<u>Locality Pay Area<sup>1</sup></u>	<u>Rate</u>
Atlanta-Sandy Springs-Gainesville, GA-AL. . . . .	18.55%
Boston-Worcester-Manchester, MA-NH-RI-ME. . . . .	23.98%
Buffalo-Niagara-Cattaraugus, NY . . . . .	16.39%
Chicago-Naperville-Michigan City, IL-IN-WI. . . . .	24.47%
Cincinnati-Middletown-Wilmington, OH-KY-IN. . . . .	18.28%
Cleveland-Akron-Elyria, OH. . . . .	18.16%
Columbus-Marion-Chillicothe, OH . . . . .	16.62%
Dallas-Fort Worth, TX . . . . .	19.95%
Dayton-Springfield-Greenville, OH . . . . .	15.90%
Denver-Aurora-Boulder, CO . . . . .	22.03%
Detroit-Warren-Flint, MI. . . . .	23.56%
Hartford-West Hartford-Willimantic, CT-MA . . . . .	25.08%
Houston-Baytown-Huntsville, TX. . . . .	28.28%
Huntsville-Decatur, AL. . . . .	15.46%
Indianapolis-Anderson-Columbus, IN. . . . .	14.23%
Los Angeles-Long Beach-Riverside, CA. . . . .	26.51%
Miami-Fort Lauderdale-Pompano Beach, FL . . . . .	20.21%
Milwaukee-Racine-Waukesha, WI . . . . .	17.65%
Minneapolis-St. Paul-St. Cloud, MN-WI . . . . .	20.36%
New York-Newark-Bridgeport, NY-NJ-CT-PA . . . . .	27.96%
Philadelphia-Camden-Vineland, PA-NJ-DE-MD . . . . .	21.25%
Phoenix-Mesa-Scottsdale, AZ . . . . .	16.08%
Pittsburgh-New Castle, PA . . . . .	15.86%
Portland-Vancouver-Beaverton, OR-WA . . . . .	19.71%
Raleigh-Durham-Cary, NC . . . . .	17.38%
Richmond, VA. . . . .	16.10%
Sacramento--Arden-Arcade-Yuba City, CA-NV . . . . .	21.53%
San Diego-Carlsbad-San Marcos, CA . . . . .	23.44%
San Jose-San Francisco-Oakland, CA. . . . .	34.35%
Seattle-Tacoma-Olympia, WA. . . . .	21.06%
Washington-Baltimore-Northern Virginia, DC-MD-VA-WV-PA. . . . .	23.10%
Rest of U.S. . . . .	13.86%

**SCHEDULE 10-ADMINISTRATIVE LAW JUDGES**

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 2009)

AL-3/A . . . . .	\$102,400
AL-3/B . . . . .	110,100
AL-3/C . . . . .	118,100
AL-3/D . . . . .	125,900
AL-3/E . . . . .	133,900
AL-3/F . . . . .	141,600
AL-2 . . . . .	149,600
AL-1 . . . . .	153,200

<sup>1</sup>Locality Pay Areas are defined in 5 CFR 531.603.



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## OTHER PRESIDENTIAL DOCUMENTS

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### Subchapter B— Administrative Orders

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**Notice of January 18, 2008**

**Continuation of the National Emergency With Respect to  
Terrorists Who Threaten To Disrupt the Middle East Peace  
Process**

On January 23, 1995, by Executive Order 12947, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by grave acts of violence committed by foreign terrorists who threaten to disrupt the Middle East peace process. On August 20, 1998, by Executive Order 13099, the President modified the Annex to Executive Order 12947 to identify four additional persons, including Usama bin Laden, who threaten to disrupt the Middle East peace process.

Because these terrorist activities continue to threaten the Middle East peace process and to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on January 23, 1995, as expanded on August 20, 1998, and the measures adopted on those dates to deal with that emergency must continue in effect beyond January 23, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to foreign terrorists who threaten to disrupt the Middle East peace process.

### **Title 3—The President**

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*January 18, 2008.*

#### **Presidential Determination No. 2008–8 of January 22, 2008**

#### **Determination on the Proposed Agreement for Cooperation Between the United States of America and the Republic of Turkey Concerning Peaceful Uses of Nuclear Energy**

*Memorandum for the Secretary of State [and] the Secretary of Energy*

I have considered the proposed Agreement for Cooperation Between the United States of America and the Republic of Turkey Concerning Peaceful Uses of Nuclear Energy, signed at Ankara on July 26, 2000, along with the views, recommendations, and statements of interested agencies.

I approve the proposed Agreement and have determined the performance of the Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security.

The Secretary of State is authorized to publish this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, January 22, 2008.*

#### **Presidential Determination No. 2008–9 of January 28, 2008**

#### **Waiver of Section 1083 of the National Defense Authorization Act for Fiscal Year 2008**

*Memorandum for the Secretary of State*

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, and section 1083(d) of the National Defense Authorization Act for Fiscal Year 2008 (the “Act”), I hereby determine that:

- All provisions of section 1083 of the Act, if applied to Iraq or any agency or instrumentality thereof, may affect Iraq or its agencies or instrumentalities, by exposing Iraq or its agencies or instrumentalities to liability in United States courts and by entangling their assets in litigation.
- The economic security and successful reconstruction of Iraq continue to be top national security priorities of the United States. Section 1083 of the Act threatens those key priorities. If permitted to apply to Iraq, section 1083 would risk the entanglement of substantial Iraqi assets in

### Other Presidential Documents

litigation in the United States—including those of the Development Fund for Iraq, the Central Bank of Iraq, and commercial entities in the United States in which Iraq has an interest. Section 1083 also would expose Iraq to new liability of at least several billion dollars by undoing judgments favorable to Iraq, by foreclosing available defenses on which Iraq is relying in pending litigation, and by creating a new Federal cause of action backed by the prospect of punitive damages to support claims that may previously have been foreclosed. If permitted to apply to Iraq, section 1083 would have a significant financial impact on Iraq and would result in the redirection of financial resources from the continued reconstruction of Iraq and the harming of Iraq's stability, contrary to the interests of the United States.

- A waiver of all provisions of section 1083 with respect to Iraq and any agency or instrumentality of Iraq is therefore in the national security interest of the United States and will promote the reconstruction of, the consolidation of democracy in, and the relations of the United States with, Iraq.
- Iraq continues to be a reliable ally of the United States and a partner in combating acts of international terrorism. The November 26, 2007, Declaration of Principles for a Long-Term Relationship of Cooperation and Friendship between the Republic of Iraq and the United States of America confirmed the commitment of the United States and Iraq to build an enduring relationship in the political, diplomatic, economic, and security arenas and to work together to combat all terrorist groups, including al-Qaida.

Accordingly, I hereby waive all provisions of section 1083 of the Act with respect to Iraq and any agency or instrumentality thereof.

You are authorized and directed to notify the Congress of this determination and waiver and the accompanying memorandum of justification, incorporated by reference herein, and to arrange for their publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, January 28, 2008.*

### **Title 3—The President**

#### **MEMORANDUM OF JUSTIFICATION FOR WAIVER OF SECTION 1083 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008 WITH RESPECT TO IRAQ**

Section 1083 of the National Defense Authorization Act for Fiscal Year 2008 (the "Act") amends the Foreign Sovereign Immunities Act, which establishes a framework for lawsuits against foreign countries and their agencies and instrumentalities under U.S. law. Immediately upon enactment, Section 1083 would put at risk substantial Iraqi assets in the United States that are crucial to Iraq's recovery efforts -- including the Development Fund for Iraq, the assets of the Central Bank of Iraq held by the Federal Reserve Bank of New York, and assets of Iraqi agencies or instrumentalities used in commercial transactions in the United States. Section 1083 would also expose Iraq to potential new liability by undoing judgments favorable to Iraq, by foreclosing available defenses on which Iraq has relied, and by creating a new Federal cause of action backed by punitive damages. Any and all provisions of section 1083 may adversely affect Iraq or its agencies or instrumentalities, by exposing Iraq or its agencies or instrumentalities to liability in United States courts and by entangling their assets in litigation. Such burdens would undermine the national security and foreign policy interests of the United States, including by weakening the ability of the democratically-elected government of Iraq to use Iraqi funds to promote political and economic progress and further develop its security forces.

Section 1083(d)(1)-(3) of the Act provides that:

(d) Applicability to Iraq-

(1) APPLICABILITY- The President may waive any provision of this section with respect to Iraq, insofar as that provision may, in the President's determination, affect Iraq or any agency or instrumentality thereof, if the President determines that--

(A) the waiver is in the national security interest of the United States;

## Other Presidential Documents

(B) the waiver will promote the reconstruction of, the consolidation of democracy in, and the relations of the United States with, Iraq; and  
(C) Iraq continues to be a reliable ally of the United States and partner in combating acts of international terrorism.

(2) TEMPORAL SCOPE- The authority under paragraph (1) shall apply--

(A) with respect to aconduct or event occurring before or on the date of the enactment of this Act;

(B) with respect to any conduct or event occurring before or on the date of the exercise of that authority; and

(C) regardless of whether, or the extent to which, the exercise of that authority affects any action filed before, on, or after the date of the exercise of that authority or of the enactment of this Act.

(3) NOTIFICATION TO CONGRESS- A waiver by the President under paragraph (1) shall cease to be effective 30 days after it is made unless the President has notified Congress in writing of the basis for the waiver as determined by the President under paragraph (1).

A waiver of all provisions of section 1083 with respect to Iraq, and all agencies and instrumentalities thereof, is in the national security interest of the United States and will promote the reconstruction of, the consolidation of democracy in, and the relations of the United States with, Iraq. In particular:

- Absent a waiver, section 1083 would have a potentially devastating impact on Iraq's ability to use Iraqi funds to expand and equip the Iraqi Security Forces, which would have serious implications for U.S. troops in the field acting as part of the Multinational Force-Iraq and would harm anti-terrorism and counter-insurgency efforts.
- Application of section 1083 to Iraq or any agency or instrumentality thereof will hurt the interests of the United States by unacceptably interfering with political and economic progress in Iraq that is critically important to bringing U.S. troops home.
- If applied to Iraq or any agency or instrumentality thereof, the provisions of section 1083 would redirect financial

### **Title 3—The President**

resources from the continued reconstruction of Iraq and would harm Iraq's stability, contrary to the interests of the United States. A waiver will ensure that Iraqi assets of the Central Bank of Iraq, the government and commercial entities in which Iraq has an interest, remain available to maintain macroeconomic stability in Iraq and support private sector development and trade.

- By providing for the maintenance of macroeconomic stability, the waiver of section 1083 will promote the consolidation of democracy in Iraq.
- Absent a waiver of section 1083, Iraq's ability to finance employment alternatives, vocational training, and job placement programs necessary to promote community reintegration and development efforts contributing to counterterrorism efforts would be harmed.
- By ensuring that Iraq and its agencies and instrumentalities are not subject to litigation or liability pursuant to section 1083, waiver of section 1083 will promote the close relationship between the United States and Iraq.

In addition, Iraq continues to be a reliable ally of the United States and partner in combating acts of international terrorism. The November 26, 2007 Declaration of Principles for a Long-Term Relationship of Cooperation and Friendship between the Republic of Iraq and the United States of America confirmed the commitment of the United States and Iraq to build an enduring relationship in the political, diplomatic, economic, and security arenas and to work together to combat all terrorist groups and international terrorism, including al-Qaida. This Declaration reinforced the crucial actions Iraq is taking against terrorists groups, including al-Qaida.

## Other Presidential Documents

Presidential Determination No. 2008–10 of January 29, 2008

### **Unexpected Urgent Refugee and Migration Needs Related to Africa and the Middle East**

*Memorandum for the Secretary of State*

By the authority vested in me by the Constitution and the laws of the United States, including sections 2 and 4(a)(1) of the Migration and Refugee Assistance Act of 1962 (the “Act”), as amended (22 U.S.C. 2601 and 2603), and section 301 of title 3, United States Code:

(1) I hereby determine, pursuant to 2(c)(1) of the Act, that it is important to the national interest to furnish assistance under the Act in an amount not to exceed \$32 million from the United States Emergency Refugee and Migration Assistance Fund for the purpose of meeting unexpected and urgent refugee and migration needs, including by contributions to international, governmental, and nongovernmental organizations and payment of administrative expenses of the Bureau of Population, Refugees, and Migration of the Department of State, related to humanitarian needs in Africa and in the West Bank and Gaza; and

(2) the functions of the President in relation to this memorandum under 2(d) of the Act, and of establishing terms and conditions under section 2(c)(1) of the Act, are assigned to you.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, January 29, 2008.*

Notice of February 5, 2008

### **Continuation of the National Emergency Blocking Property of Certain Persons Contributing to the Conflict in Cote d’Ivoire**

On February 7, 2006, by Executive Order 13396, I declared a national emergency and ordered related measures blocking the property of certain persons contributing to the conflict in Cote d’Ivoire, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in or in relation to Cote d’Ivoire, which has been addressed by the United Nations Security Council in Resolution 1572 of November 15, 2004, and subsequent resolutions, and has resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and attacks against international peacekeeping forces leading to fatalities. Because the situation in or in relation to Cote d’Ivoire continues to pose an unusual and extraordinary threat to the national security and

### **Title 3—The President**

foreign policy of the United States, the national emergency declared on February 7, 2006, and the measures adopted on that date to deal with that emergency, must continue in effect beyond February 7, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13396.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*February 5, 2008.*

#### **Notice of February 6, 2008**

#### **Continuation of the National Emergency Relating to Cuba and of the Emergency Authority Relating to the Regulation of the Anchorage and Movement of Vessels**

On March 1, 1996, by Proclamation 6867, a national emergency was declared to address the disturbance or threatened disturbance of international relations caused by the February 24, 1996, destruction by the Cuban government of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba. In July 1996 and on subsequent occasions, the Cuban government stated its intent to forcefully defend its sovereignty against any U.S.-registered vessels or aircraft that might enter Cuban territorial waters or airspace while involved in a flotilla or peaceful protest. Since these events, the Cuban government has not demonstrated that it will refrain from the future use of reckless and excessive force against U.S. vessels or aircraft that may engage in memorial activities or peaceful protest north of Cuba. On February 26, 2004, by Proclamation 7757, the scope of the national emergency was expanded in order to deny monetary and material support to the repressive Cuban government, which had taken a series of steps to destabilize relations with the United States, including threatening to abrogate the Migration Accords with the United States and to close the United States Interests Section. Further, Cuba's most senior officials repeatedly asserted that the United States intended to invade Cuba, despite explicit denials from the U.S. Secretaries of State and Defense that such action is planned. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Cuba and the emergency authority relating to the regulation of the anchorage and movement of vessels set out in Proclamation 6867 as amended and expanded by Proclamation 7757.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*February 6, 2008.*



## Other Presidential Documents

Presidential Determination No. 2008–11 of February 11, 2008

### **Implementation of Sections 603 and 604 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228)**

*Memorandum for the Secretary of State*

Consistent with the authority contained in section 604 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228)(the “Act”), and with reference to the determinations set out in the report to be transmitted to the Congress pursuant to section 603 of that Act regarding non-compliance by the Palestine Liberation Organization and the Palestinian Authority with certain commitments, I hereby impose the sanction set out in section 604(a)(2), “Downgrade in Status of the PLO Office in the United States.” This sanction is imposed for a period of 180 days from the date hereof or until such time as the next report required by section 603 of the Act is transmitted to the Congress, whichever is later. You are authorized and directed to transmit to the appropriate congressional committees the report described in section 603 of the Act.

Furthermore, I hereby determine that it is in the national security interest of the United States to waive that sanction, pursuant to section 604(c) of the Act. This waiver shall be effective for a period of 180 days from the date hereof or until such time as the next report required by section 603 of the Act is transmitted to the Congress, whichever is later.

You are hereby authorized and directed to transmit this determination to the Congress and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, February 11, 2008.*

Presidential Determination No. 2008–12 of February 13, 2008

### **Implementation of Sections 603 and 604 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228)**

*Memorandum for the Secretary of State*

Consistent with the authority contained in section 604 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228)(the “Act”), and with reference to the determinations set out in the report to be transmitted to the Congress pursuant to section 603 of that Act regarding non-compliance by the Palestine Liberation Organization and the Palestinian Authority with certain commitments, I hereby impose the sanction set out in section 604(a)(2), “Downgrade in Status of the PLO Office in the United States.” This sanction is imposed for a period of 180 days from the date hereof or until such time as the next report required by section 603 of the Act is transmitted to the Congress, whichever is later. You are authorized

### **Title 3—The President**

and directed to transmit to the appropriate congressional committees the report described in section 603 of the Act.

Furthermore, I hereby determine that it is in the national security interest of the United States to waive that sanction, pursuant to section 604(c) of the Act. This waiver shall be effective for a period of 180 days from the date hereof or until such time as the next report required by section 603 of the Act is transmitted to the Congress, whichever is later.

You are hereby authorized and directed to transmit this determination to the Congress and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, February 13, 2008.*

#### **Memorandum of February 14, 2008**

##### **Assignment of Function Regarding Medicare Funding**

###### *Memorandum for the Secretary of Health and Human Services*

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, you are directed to perform the function of the President as described under section 802 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173, 31 U.S.C. 1105(h) (1)).

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, February 14, 2008.*

#### **Presidential Determination No. 2008–13 of February 28, 2008**

##### **Waiver of Restriction on Providing Funds to the Palestinian Authority**

###### *Memorandum for the Secretary of State*

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 650(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (Division J, Public Law 110–161) (the “Act”), I hereby certify that it is important to the national security interests of the United States to waive the provisions of section 650(a) of the Act, in order to provide funds appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, to the Palestinian Authority.

### Other Presidential Documents

You are directed to transmit this determination to the Congress, with a report pursuant to section 650(d) of the Act, and to publish the determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,

*Washington, February 28, 2008.*

### Notice of March 4, 2008

### Continuation of the National Emergency With Respect to Zimbabwe

On March 6, 2003, by Executive Order 13288, I declared a national emergency and blocked the property of persons undermining democratic processes or institutions in Zimbabwe, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions. These actions have contributed to the deliberate breakdown in the rule of law in Zimbabwe, politically motivated violence and intimidation, and political and economic instability in the southern African region. On November 22, 2005, I issued Executive Order 13391 to take additional steps with respect to the national emergency declared in Executive Order 13288 by ordering the blocking of the property of additional persons undermining democratic processes or institutions in Zimbabwe.

Because the actions and policies of these persons continue to pose an unusual and extraordinary threat to the foreign policy of the United States, the national emergency declared on March 6, 2003, and the measures adopted on that date and on November 22, 2005, to deal with that emergency, must continue in effect beyond March 6, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,

*March 4, 2008.*

### **Title 3—The President**

**Presidential Determination No. 2008–14 of March 7, 2008**

#### **Unexpected Urgent Refugee and Migration Needs Related to Kenya**

*Memorandum for the Secretary of State*

By the authority vested in me by the Constitution and the laws of the United States, including sections 2 and 4(a)(1) of the Migration and Refugee Assistance Act of 1962 (the “Act”), as amended (22 U.S.C. 2601 and 2603), and section 301 of title 3, United States Code:

(1) I hereby determine, pursuant to section 2(c)(1) of the Act, that it is important to the national interest to furnish assistance under the Act, in an amount not to exceed \$4.9 million from the United States Emergency Refugee and Migration Assistance Fund for the purpose of meeting unexpected and urgent refugee and migration needs, including by contributions to international, governmental, and nongovernmental organizations and payment of administrative expenses of the Bureau of Population, Refugees and Migration of the Department of State, related to humanitarian needs in Kenya and for Kenyan refugees in neighboring countries; and

(2) the functions of the President in relation to this memorandum under section 2(d) of the Act, and of establishing terms and conditions under section 2(c)(1) of the Act, are assigned to you, and you may further assign such functions to any of your subordinates, consistent with applicable law.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, March 7, 2008.*

**Notice of March 11, 2008**

#### **Continuation of the National Emergency With Respect to Iran**

On March 15, 1995, by Executive Order 12957, the President declared a national emergency with respect to Iran pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Government of Iran. On May 6, 1995, the President issued Executive Order 12959 imposing more comprehensive sanctions to further respond to this threat, and on August 19, 1997, the President issued Executive Order 13059 consolidating and clarifying the previous orders.

Because the actions and policies of the Government of Iran continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on March 15, 1995, must continue in effect beyond March 15, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50

### Other Presidential Documents

U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Iran. Because the emergency declared by Executive Order 12957 constitutes an emergency separate from that declared on November 14, 1979, by Executive Order 12170, this renewal is distinct from the emergency renewal of November 2007. This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*March 11, 2008.*

### Presidential Determination No. 2008–15 of March 19, 2008

#### **Eligibility of Kosovo to Receive Defense Articles and Defense Services Under the Foreign Assistance Act of 1961, as Amended, and the Arms Export Control Act, as Amended**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by the Constitution and the laws of the United States, including section 503(a) of the Foreign Assistance Act of 1961, as amended, and section 3(a)(1) of the Arms Export Control Act, as amended, I hereby find that the furnishing of defense articles and defense services to Kosovo will strengthen the security of the United States and promote world peace.

You are authorized and directed to transmit this determination to the Congress and to arrange for the publication of this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, March 19, 2008.*

### Presidential Determination No. 2008–16 of March 24, 2008

#### **Determination To Waive Military Coup-Related Provision of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008, With Respect to Pakistan**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 1(b) of Public Law 107–57, as amended, I hereby determine and certify, with respect to Pakistan, that a waiver of section 608 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (Consolidated Appropriations Act, 2008, Public Law 110–161; the “Act”):

- (a) would facilitate the transition to democratic rule in Pakistan; and

### **Title 3—The President**

(b) is important to U.S. efforts to respond to, deter, or prevent acts of international terrorism.

Accordingly, I hereby waive, with respect to Pakistan, section 608 of such Act.

You are authorized and directed to transmit this determination to the Congress and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,

*Washington, March 24, 2008.*

### **Presidential Determination No. 2008–17 of March 28, 2008**

#### **Determinations Under Section 1106(a) of the Omnibus Trade and Competitiveness Act of 1988—Ukraine**

##### *Memorandum for the United States Trade Representative*

Pursuant to section 1106(a) of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 2905(a)) (the “Act”), I determine that state trading enterprises account for a significant share of Ukraine’s exports and goods that compete with imports into Ukraine. I further determine that such state trading enterprises unduly burden and restrict, or adversely affect, the foreign trade of the United States or the United States economy, or are likely to result in such burden, restriction, or effect.

Ukraine is seeking to become a member of the World Trade Organization (WTO). The terms and conditions for Ukraine’s accession to the WTO include Ukraine’s commitments that it will ensure that all state trading enterprises will make purchases of goods and services that are not intended for governmental use, and sales in international trade in accordance with commercial considerations (including price, quality, availability, marketability, and transportation) and that U.S. firms will have an adequate opportunity, in conformity with customary practice, to compete for such purchases or sales.

The obligations that Ukraine will assume under the WTO Agreement, including Ukraine’s protocol of accession, meet the requirements of section 1106(b)(2)(A) of the Act (19 U.S.C. 2905(b)(2)(A)), and thus my determinations under section 1106(a) do not require invocation of the nonapplication provisions of the Marrakesh Agreement Establishing the WTO with regard to Ukraine.

You are directed to publish this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,

*Washington, March 28, 2008.*

**Other Presidential Documents**

**Memorandum of March 28, 2008**

**Assignment of Functions Under Section 1821(c) of the  
Implementing Recommendations of the 9/11 Commission Act  
of 2007**

*Memorandum for the Secretary of State*

By virtue of the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby assign to you the functions of the President under section 1821(c) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53).

In the performance of your responsibility under this memorandum, you shall, as appropriate, consult the heads of other departments and agencies.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, March 28, 2008.*

**Memorandum of April 10, 2008**

**Designation of the Committee on Technology of the National  
Science and Technology Council To Carry Out Certain  
Requirements of the America COMPETES Act**

*Memorandum for the Director of the Office of Science and Technology Policy*

By the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, including section 1006(e) of the America COMPETES Act (Public Law 110–69) (the “Act”), I hereby designate the Committee on Technology of the National Science and Technology Council to carry out the responsibilities assigned to the Council on Innovation and Competitiveness in section 1006 of the Act.

The Director of the Office of Science and Technology Policy is authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, April 10, 2008.*

### **Title 3—The President**

**Presidential Determination No. 2008–18 of April 10, 2008**

#### **Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization Office**

*Memorandum for the Secretary of State*

Pursuant to the authority and conditions contained in section 634(d) of the Department of State, Foreign Operations and Related Programs Appropriations Act, 2008 (Div. J, Public Law 110–161), I hereby determine and certify that it is important to the national security interests of the United States to waive the provisions of section 1003 of the Anti-Terrorism Act of 1987, Public Law 100–204.

This waiver shall be effective for a period of 6 months from the date hereof. You are hereby authorized and directed to transmit this determination to the Congress and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, April 10, 2008.*

**Presidential Determination No. 2008–19 of May 5, 2008**

#### **Proposed Agreement Between the Government of the United States of America and the Government of the Russian Federation for Cooperation in the Field of Peaceful Uses of Nuclear Energy**

*Memorandum for the Secretary of State [and] the Secretary of Energy*

I have considered the proposed Agreement Between the Government of the United States of America and the Government of the Russian Federation for Cooperation in the Field of Peaceful Uses of Nuclear Energy, along with the views, recommendations, and statements of interested agencies.

I have determined that the performance of the Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. Pursuant to section 123 b. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b)), I hereby approve the proposed Agreement and authorize the Secretary of State to arrange for its execution.

The Secretary of State is authorized to publish this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, May 5, 2008.*



## Other Presidential Documents

Memorandum of May 6, 2008

### **Assignment of Reporting Function Under Subsection 1225(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007**

*Memorandum for the Secretary of State*

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby assign to you the function of the President under subsection 1225(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364).

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, May 6, 2008.*

Notice of May 7, 2008

### **Continuation of the National Emergency Blocking Property of Certain Persons and Prohibiting the Export of Certain Goods to Syria**

On May 11, 2004, pursuant to my authority under the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) and the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (Public Law 108–175), I issued Executive Order 13338, in which I declared a national emergency with respect to the actions of the Government of Syria. To deal with this national emergency, Executive Order 13338 authorized the blocking of property of certain persons and prohibited the exportation or re-exportation of certain goods to Syria. On April 25, 2006, and February 13, 2008, I issued Executive Order 13399 and Executive Order 13460, respectively, to take additional steps with respect to this national emergency.

I took these actions to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of the Government of Syria in supporting terrorism, maintaining its then-existing occupation of Lebanon, pursuing weapons of mass destruction and missile programs including the recent revelation of illicit nuclear cooperation with North Korea, and undermining U.S. and international efforts with respect to the stabilization and reconstruction of Iraq.

Because the actions and policies of the Government of Syria continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared

### **Title 3—The President**

on May 11, 2004, and the measures adopted on that date and on April 25, 2006, in Executive Order 13399, and on February 13, 2008, in Executive Order 13460, to deal with that emergency, must continue in effect beyond May 11, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency authorizing the blocking of property of certain persons and prohibiting the exportation or re-exportation of certain goods to Syria.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
May 7, 2008.

#### **Notice of May 16, 2008**

### **Continuation of the National Emergency With Respect to Burma**

On May 20, 1997, the President issued Executive Order 13047, certifying to the Congress under section 570(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (Public Law 104–208), that the Government of Burma has engaged in large-scale repression of the democratic opposition in Burma after September 30, 1996, thereby invoking the prohibition on new investment in Burma by United States persons contained in that section. The President also declared a national emergency to deal with the threat posed to the national security and foreign policy of the United States by the actions and policies of the Government of Burma, invoking the authority, *inter alia*, of the International Emergency Economic Powers Act, 50 U.S.C. 1701 *et seq.*

On July 28, 2003, I issued Executive Order 13310 taking additional steps with respect to that national emergency by putting in place an import ban required by the Burmese Freedom and Democracy Act of 2003 and prohibiting exports of financial services to Burma and the dealing in property in which certain designated Burmese persons have an interest. On October 18, 2007, I issued Executive Order 13448 to expand prohibitions to include the Burmese regime’s financial supporters and their companies, as well as individuals determined to be responsible for or to have participated in human rights abuses or to have engaged in activities facilitating public corruption. On April 30, 2008, I issued Executive Order 13464 taking additional steps with respect to the Government of Burma’s continued repression of the democratic opposition in Burma.

Because the actions and policies of the Government of Burma continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on May 20, 1997, and expanded on October 18, 2007, and April 30, 2008, and the measures adopted to deal with that emergency, must continue in effect beyond May 20, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the

### Other Presidential Documents

national emergency with respect to Burma. This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,

*May 16, 2008.*

### Notice of May 20, 2008

### Continuation of the National Emergency With Respect to the Stabilization of Iraq

On May 22, 2003, by Executive Order 13303, I declared a national emergency protecting the Development Fund for Iraq and certain other property in which Iraq has an interest, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) (IEEPA). I took this action to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq.

In Executive Order 13315 of August 28, 2003, Executive Order 13350 of July 29, 2004, Executive Order 13364 of November 29, 2004, and Executive Order 13438 of July 17, 2007, I modified the scope of the national emergency declared in Executive Order 13303 and amended the steps taken pursuant to it.

Because the obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on May 22, 2003, and the measures adopted on that date, August 28, 2003, July 29, 2004, November 29, 2004, and July 17, 2007, to deal with that emergency must continue in effect beyond May 22, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to the stabilization of Iraq.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,

*May 20, 2008.*

### **Title 3—The President**

**Presidential Determination No. 2008–20 of June 4, 2008**

#### **Suspension of Limitations Under the Jerusalem Embassy Act**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me as President by the Constitution and the laws of the United States, including section 7(a) of the Jerusalem Embassy Act of 1995 (Public Law 104–45) (the “Act”), I hereby determine that it is necessary, in order to protect the national security interests of the United States, to suspend for a period of 6 months the limitations set forth in sections 3(b) and 7(b) of the Act. My Administration remains committed to beginning the process of moving our Embassy to Jerusalem.

You are hereby authorized and directed to transmit this determination to the Congress, accompanied by a report in accordance with section 7(a) of the Act, and to publish the determination in the **Federal Register**.

This suspension shall take effect after transmission of this determination and report to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, June 4, 2008.*

**Notice of June 6, 2008**

#### **Continuation of the National Emergency With Respect to the Actions and Policies of Certain Members of the Government of Belarus and Other Persons Undermining Democratic Processes or Institutions in Belarus**

On June 16, 2006, by Executive Order 13405, I declared a national emergency and ordered related measures blocking the property of certain persons undermining democratic processes or institutions in Belarus, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of certain members of the Government of Belarus and other persons that have undermined democratic processes or institutions; committed human rights abuses related to political repression, including detentions and disappearances; and engaged in public corruption, including by diverting or misusing Belarusian public assets or by misusing public authority.

Because these actions and policies continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on June 16, 2006, and the measures adopted on that date to deal with that emergency, must continue in effect beyond June 16, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13405.

### Other Presidential Documents

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*June 6, 2008.*

### Notice of June 18, 2008

#### **Continuation of the National Emergency With Respect to the Risk of Nuclear Proliferation Created by the Accumulation of Weapons-Usable Fissile Material in the Territory of the Russian Federation**

On June 21, 2000, President Clinton issued Executive Order 13159 (the “order”) blocking property and interests in property of the Government of the Russian Federation that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons that are directly related to the implementation of the Agreement Between the Government of the United States of America and the Government of the Russian Federation Concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons, dated February 18, 1993, and related contracts and agreements (collectively, the “HEU Agreements”). The HEU Agreements allow for the downblending of highly enriched uranium derived from nuclear weapons to low enriched uranium for peaceful commercial purposes. The order invoked the authority, *inter alia*, of the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) and declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation.

The national emergency declared on June 21, 2000, must continue beyond June 21, 2008, to provide continued protection from attachment, judgment, decree, lien, execution, garnishment, or other judicial process for the property and interests in property of the Government of the Russian Federation that are directly related to the implementation of the HEU Agreements and subject to U.S. jurisdiction. Therefore, in accordance with section 202 (d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation. This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*June 18, 2008.*

### **Title 3—The President**

#### **Presidential Determination No. 2008–21 of June 20, 2008**

#### **Waiving the Prohibition on the Use of Economic Support Funds With Respect to Various Parties to the Rome Statute Establishing the International Criminal Court**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by the Constitution and the laws of the United States, including section 574 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109–102), as carried forward by the Revised Continuing Appropriations Resolution, 2007 (Public Law 110–5), I hereby:

- Determine that it is important to the national interests of the United States to waive the prohibition of aforementioned section 574(a) with respect to Bolivia, Costa Rica, Cyprus, Ecuador, Kenya, Mali, Mexico, Namibia, Niger, Paraguay, Peru, Samoa, South Africa, and Tanzania; and
- Waive the prohibition of aforementioned section 574(a) with respect to these countries.

You are authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, June 20, 2008.*

#### **Presidential Determination No. 2008–22 of June 20, 2008**

#### **Unexpected Urgent Refugee and Migration Needs Related to Africa, the Middle East, Asia, and the Western Hemisphere**

##### *Memorandum for the Secretary of State*

By the authority vested in me by the Constitution and the laws of the United States, including sections 2 and 4(a)(1) of the Migration and Refugee Assistance Act of 1962 (the “Act”), as amended, (22 U.S.C. 2601 and 2603), and section 301 of title 3, United States Code:

(1) I hereby determine, pursuant to section 2(c)(1) of the Act, that it is important to the national interest to furnish assistance under the Act in an amount not to exceed \$32.8 million from the United States Emergency Refugee and Migration Assistance Fund for the purpose of meeting unexpected and urgent refugee and migration needs, including by contributions to international, governmental, and nongovernmental organizations, and payment of administrative expenses of the Bureau of Population, Refugees, and Migration of the Department of State, related to humanitarian needs in Africa, the Middle East, Asia, and the Western Hemisphere; and

(2) the functions of the President in relation to this memorandum under section 2(d) of the Act, and of establishing terms and conditions under section 2(c)(1) of the Act, are assigned to you, and you may further assign such functions to your subordinates, consistent with applicable law.

## Other Presidential Documents

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, June 20, 2008.*

### Notice of June 24, 2008

#### **Continuation of the National Emergency With Respect to the Western Balkans**

On June 26, 2001, by Executive Order 13219, I declared a national emergency with respect to the Western Balkans pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the Republic of Macedonia and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo. I subsequently amended that order in Executive Order 13304 of May 28, 2003.

Because the actions of persons threatening the peace and international stabilization efforts in the Western Balkans continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on June 26, 2001, and the measures adopted on that date and thereafter to deal with that emergency, must continue in effect beyond June 26, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to the Western Balkans.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*June 24, 2008.*

### Memorandum of June 26, 2008

#### **Certification of Rescission of North Korea's Designation as a State Sponsor of Terrorism**

##### *Memorandum for the Secretary of State*

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and consistent with section 6(j)(4)(B) of the Export Administration Act of 1979, Public Law 96–72, as amended (50 U.S.C. App.

### **Title 3—The President**

2405(j)), and as continued in effect by Executive Order 13222 of August 17, 2001, 66 *FR* 44025, I hereby certify, with respect to the rescission of the determination of January 20, 1988, regarding North Korea that:

- (i) the Government of North Korea has not provided any support for international terrorism during the preceding 6-month period; and
- (ii) the Government of North Korea has provided assurances that it will not support acts of international terrorism in the future.

This certification shall also satisfy the provisions of section 620A(c)(2) of the Foreign Assistance Act of 1961, Public Law 87–195, as amended (22 U.S.C. 2371(c)), and section 40(f)(1)(B) of the Arms Export Control Act, Public Law 90–629, as amended (22 U.S.C. 2780(f)).

You are authorized and directed to report this certification and the attached memorandum justifying the rescission to the Congress and to arrange for the publication of this certification in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, June 26, 2008.*

### **Notice of July 16, 2008**

#### **Continuation of the National Emergency With Respect to the Former Liberian Regime of Charles Taylor**

On July 22, 2004, by Executive Order 13348, I declared a national emergency and ordered related measures, including the blocking of the property of certain persons connected to the former Liberian regime of Charles Taylor, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, which have undermined Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. I further noted that the Comprehensive Peace Agreement signed on August 18, 2003, and the related cease-fire had not yet been universally implemented throughout Liberia, and that the illicit trade in round logs and timber products was linked to the proliferation of and trafficking in illegal arms, which perpetuated the Liberian conflict and fueled and exacerbated other conflicts throughout West Africa.

The actions and policies of Charles Taylor and others have left a legacy of destruction that continues to undermine Liberia's transformation and recovery. Because the actions and policies of these persons continue to pose an unusual and extraordinary threat to the foreign policy of the United States, the national emergency declared on July 22, 2004, and the measures adopted on that date to deal with that emergency, must continue in effect



### **Other Presidential Documents**

beyond July 22, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13348.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*July 16, 2008.*

### **Notice of July 23, 2008**

#### **Continuation of Emergency Regarding Export Control Regulations**

On August 17, 2001, consistent with the authority provided to me under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), I issued Executive Order 13222. In that order, I declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States in light of the expiration of the Export Administration Act of 1979, as amended (50 U.S.C. App. 2401 *et seq.*). Because the Export Administration Act has not been renewed by the Congress, the national emergency declared on August 17, 2001, must continue in effect beyond August 17, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13222.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*July 23, 2008.*

### **Presidential Determination No. 2008–23 of July 25, 2008**

#### **Emergency Fund Drawdown to Assist Zimbabwean Refugees in South Africa, Botswana, Mozambique, and Zambia**

##### *Memorandum for the Secretary of State*

By the authority vested in me by the Constitution and the laws of the United States, including sections 2 and 4(a)(1) of the Migration and Refugee Assistance Act of 1962 (the “Act”), as amended (22 U.S.C. 2601 and 2603) and section 301 of title 3, United States Code:

(1) I hereby determine, pursuant to 2(c)(1) of the Act, that it is important to the national interest to furnish assistance under the Act, in an amount not to exceed \$2.5 million from the United States Emergency Refugee and

### **Title 3—The President**

Migration Assistance Fund, for the purpose of meeting unexpected and urgent refugee and migration needs, including by contributions to international, governmental, and nongovernmental organizations and payment of administrative expenses of the Bureau of Population, Refugees, and Migration of the Department of State, related to humanitarian needs of Zimbabwean refugees and asylum seekers; and

(2) the functions of the President in relation to this memorandum under section 2(d) of the Act, and of establishing terms and conditions under section 2(c)(1) of the Act, are assigned to you, and you may further assign such functions to any of your subordinates, consistent with applicable law.

You are authorized and directed to publish this memorandum in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,

*Washington, July 25, 2008.*

#### **Notice of July 30, 2008**

### **Continuation of the National Emergency With Respect To the Actions of Certain Persons To Undermine the Sovereignty of Lebanon Or Its Democratic Processes And Institutions**

On August 1, 2007, by Executive Order 13441, I declared a national emergency and ordered related measures blocking the property of certain persons undermining the sovereignty of Lebanon or its democratic processes or institutions and certain other persons, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions of certain persons to undermine Lebanon’s legitimate and democratically elected government or democratic institutions, to contribute to the deliberate breakdown in the rule of law in Lebanon, including through politically motivated violence and intimidation, to reassert Syrian control or contribute to Syrian interference in Lebanon, or to infringe upon or undermine Lebanese sovereignty which contributes to political and economic instability in that country and the region.

Because these actions continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on August 1, 2007, and the measures adopted on that date to deal with that emergency, must continue in effect beyond August 1, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13441.

### Other Presidential Documents

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*July 30, 2008.*

### Presidential Determination No. 2008–24 of August 15, 2008

#### **Continuation of U.S. Drug Interdiction Assistance to the Government of Colombia**

*Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 1012 of the National Defense Authorization Act for Fiscal Year 1995, as amended (22 U.S.C. 2291–4), I hereby certify, with respect to Colombia, that (1) interdiction of aircraft reasonably suspected to be primarily engaged in illicit drug trafficking in that country's airspace is necessary because of the extraordinary threat posed by illicit drug trafficking to the national security of that country; and (2) that country has appropriate procedures in place to protect against innocent loss of life in the air and on the ground in connection with such interdiction, which shall at a minimum include effective means to identify and warn an aircraft before the use of force is directed against the aircraft.

The Secretary of State is authorized and directed to publish this determination in the *Federal Register* and to notify the Congress of this determination.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, August 15, 2008.*

### Notice of August 28, 2008

#### **Continuation of the National Emergency With Respect To Certain Terrorist Attacks**

Consistent with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency I declared on September 14, 2001, in Proclamation 7463, with respect to the terrorist attacks at the World Trade Center, New York, New York, the Pentagon, and aboard United Airlines flight 93, and the continuing and immediate threat of further attacks on the United States.

Because the terrorist threat continues, the national emergency declared on September 14, 2001, and the powers and authorities adopted to deal with that emergency, must continue in effect beyond September 14, 2008. Therefore, I am continuing in effect for an additional year the national emergency I declared on September 14, 2001, with respect to the terrorist threat.

### **Title 3—The President**

This notice shall be published in the *Federal Register* and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*August 28, 2008.*

#### **Presidential Determination No. 2008–25 of August 28, 2008**

### **Emergency Fund Drawdown to Assist Georgian Victims of Conflict**

#### *Memorandum for the Secretary of State*

By the authority vested in me by the Constitution and the laws of the United States, including sections 2 and 4(a)(1) of the Migration and Refugee Assistance Act of 1962 (the “Act”), as amended, (22 U.S.C. 2601 and 2603) and section 301 of title 3, United States Code:

(1) I hereby determine, pursuant to section 2(c)(1) of the Act, that it is important to the national interest to furnish assistance under the Act, in an amount not to exceed \$5.75 million from the United States Emergency Refugee and Migration Assistance Fund, for the purpose of meeting unexpected and urgent refugee and migration needs, including by contributions to international, governmental, and nongovernmental organizations and payment of administrative expenses of the Bureau of Population, Refugees, and Migration of the Department of State, related to the humanitarian needs of conflict victims and those displaced by recent violence in Georgia.

(2) I hereby assign to you the functions of the President in relation to this memorandum under section 2(d) of the Act, and of establishing terms and conditions under section 2(c)(1) of the Act, and you may further assign such functions to your subordinates, consistent with applicable law.

You are authorized and directed to publish this memorandum in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, August 28, 2008.*

#### **Presidential Determination No. 2008–26 of September 10, 2008**

### **Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of India Concerning Peaceful Uses of Nuclear Energy**

#### *Memorandum for the Secretary of State [and] the Secretary of Energy*

I have considered the Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of India

### Other Presidential Documents

Concerning Peaceful Uses of Nuclear Energy, along with the views, recommendations, and statements of interested agencies.

I have determined that the performance of the Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. Pursuant to section 123 b. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(B)), I hereby approve the proposed agreement and authorize the Secretary of State to arrange for its execution.

In addition, pursuant to the authority vested in me by the Constitution and the laws of the United States of America, including the Henry J. Hyde United States-India Peaceful Atomic Energy Cooperation Act of 2006 (Public Law 109-401), I hereby determine that:

1. India has provided the United States and the IAEA with a credible plan to separate civil and military nuclear facilities, materials, and programs, and has filed a declaration regarding its civil facilities and materials with the IAEA;
2. India and the IAEA have concluded all legal steps required prior to signature by the parties of an agreement requiring the application of IAEA safeguards in perpetuity in accordance with IAEA standards, principles, and practices (including IAEA Board of Governors Document GOV/1621 (1973)) to India's civil nuclear facilities, materials, and programs as declared in the plan described in paragraph (1), including materials used in or produced through the use of India's civil nuclear facilities;
3. India and the IAEA are making substantial progress toward concluding an Additional Protocol consistent with IAEA principles, practices, and policies that would apply to India's civil nuclear program;
4. India is working actively with the United States for the early conclusion of a multilateral treaty on the cessation of the production of fissile materials for use in nuclear weapons or other nuclear explosive devices;
5. India is working with and supporting United States and international efforts to prevent the spread of enrichment and reprocessing technology to any state that does not already possess full-scale, functioning enrichment or reprocessing plants;
6. India is taking the necessary steps to secure nuclear and other sensitive materials and technology, including through (A) the enactment and effective enforcement of comprehensive export control legislation and regulations; (B) harmonization of its export control laws, regulations, policies, and practices with the guidelines and practices of the Missile Technology Control Regime (MTCR) and the Nuclear Suppliers Group (NSG); and (C) adherence to the MTCR and the NSG in accordance with the procedures of those regimes for unilateral adherence; and
7. The NSG has decided by consensus to permit supply to India of nuclear items covered by the guidelines of the NSG.

I therefore hereby (1) exempt the proposed Agreement for Cooperation Between the Government of the United States of America and the Government of India Concerning Peaceful Uses of Nuclear Energy arranged pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) from the requirement of subsection 123 a.(2) of such section; (2) waive the application of section 128 of the Atomic Energy Act of 1954 (42 U.S.C. 2157) with

### **Title 3—The President**

respect to exports to India; and (3) waive with respect to India the application of:

(A) subsection 129 a.(1)(D) of the Atomic Energy Act of 1954 (42 U.S.C. 2158(a)(1)(D)); and

(B) section 129 of the Atomic Energy Act of 1954 (42 U.S.C. 2158) regarding any actions that occurred before July 18, 2005.

The Secretary of State is authorized and directed to publish this determination in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, September 10, 2008.*

### **Presidential Determination No. 2008–27 of September 12, 2008**

#### **Continuation of the Exercise of Certain Authorities Under the Trading With the Enemy Act**

*Memorandum for the Secretary of State [and] the Secretary of the Treasury*  
Under section 101(b) of Public Law 95–223 (91 Stat. 1625; 50 U.S.C. App. 5(b) note), and a previous determination on September 13, 2007 (72 *FR* 53409), the exercise of certain authorities under the Trading With the Enemy Act is scheduled to terminate on September 14, 2008.

I hereby determine that the continuation for 1 year of the exercise of those authorities with respect to Cuba is in the national interest of the United States.

Therefore, consistent with the authority vested in me by section 101(b) of Public Law 95–223, I continue for 1 year, until September 14, 2009, the exercise of those authorities with respect to Cuba as implemented by the Cuban Assets Control Regulations, 31 C.F.R. Part 515.

The Secretary of the Treasury is authorized and directed to publish this determination in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, September 12, 2008.*

## Other Presidential Documents

Presidential Determination No. 2008–28 of September 15, 2008

### Major Drug Transit or Major Illicit Drug Producing Countries for Fiscal Year 2009

#### *Memorandum for the Secretary of State*

Pursuant to section 706(1) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) (FRAA), I hereby identify the following countries as major drug transit or major illicit drug producing countries: Afghanistan, The Bahamas, Bolivia, Brazil, Burma, Colombia, Dominican Republic, Ecuador, Guatemala, Haiti, India, Jamaica, Laos, Mexico, Nigeria, Pakistan, Panama, Paraguay, Peru, and Venezuela.

A country's presence on the Majors List is not necessarily an adverse reflection of its government's counternarcotics efforts or level of cooperation with the United States. Consistent with the statutory definition of a major drug transit or drug producing country set forth in section 481(e)(2) and (5) of the Foreign Assistance Act of 1961, as amended (FAA), one of the reasons that major drug transit or illicit drug producing countries are placed on the list is the combination of geographic, commercial, and economic factors that allow drugs to transit or be produced despite the concerned government's most assiduous enforcement measures.

Pursuant to section 706(2)(A) of the FRAA, I hereby designate Bolivia, Burma, and Venezuela as countries that have failed demonstrably during the previous 12 months to adhere to their obligations under international counternarcotics agreements and take the measures set forth in section 489(a)(1) of the FAA. Attached to this report are justifications for the determinations on Bolivia, Burma, and Venezuela, as required by section 706(2)(B). I have also determined, in accordance with provisions of section 706(3)(A) of the FRAA, that support for programs to aid Venezuela's democratic institutions and continued support for bilateral programs in Bolivia are vital to the national interests of the United States.

Under the leadership of President Karzai, the Government of Afghanistan has made some progress in combating narcotics. However, drug trafficking remains a serious threat to the future of Afghanistan, contributing to widespread public corruption, damaging legitimate economic growth, and fueling violence and insurgency.

A successful counternarcotics strategy in Afghanistan hinges on maintaining security, building public capacity, attaining local support, and actively pursuing our joint counternarcotics strategy.

Poppy cultivation continues to be marked by the divide between the increasingly poppy-free northern provinces and the insurgency-dominated regions in the south. Through political will, and by using a mixture of incentives and disincentives, governors in key northern provinces like Badakshan and Nangarhar have significantly reduced poppy cultivation.

Inspired by the Nangarhar model, the newly appointed governor of the southern province of Helmand has taken bold steps to implement the first truly serious counternarcotics campaign in the province. It is clear that progress in Helmand Province will not come easily. Drug control efforts in

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this area of pronounced poppy cultivation are thwarted by heavily entrenched Taliban centers of power. In 2007 Helmand Province cultivated more than half of Afghanistan's illegal poppy crop.

Difficult security conditions greatly impede counternarcotics operations, particularly in the south and southwest provinces, areas in which the insurgency and organized crime groups predominate and where over 85 percent of Afghan poppy is cultivated.

Drug-related corruption in Afghanistan—one of the most intransigent problems in the country—must be confronted, particularly at provincial and district government levels. Corruption and illegal drugs in Afghanistan threaten to undermine all aspects of the country's efforts to build a sustainable economic infrastructure and functioning democracy.

The United States enjoys close cooperation with Canada across a broad range of law enforcement issues. Both of our nations face a serious challenge from the 2-way flow of drugs across our long border. While Canada is primarily a drug consuming country, it is also a significant producer of highly potent marijuana and has become the primary source country for MDMA (ecstasy) available in the United States. Additionally, Canada serves as a transit or diversion point for precursor chemicals and over-the-counter pharmaceuticals used to produce illicit synthetic drugs, most notably MDMA. While methamphetamine use has decreased in the United States, due in large part to past efforts to reduce precursor chemical diversion by Canadian authorities, production of finished methamphetamine is increasing in Canada and could lead to greater supplies in the United States. Canada is pursuing a new National Anti-Drug Strategy that focuses on proven approaches to reduce drug use and deter drug trafficking. The United States and Canada continue to work productively in joint law enforcement operations that disrupt drug and currency smuggling operations along the border.

The growing expansion of drug trafficking in Central America poses serious challenges to the region's limited capability to combat both the narcotics trade and organized crime. We are particularly concerned about the increasing presence of drug trafficking organizations in Central America that are fleeing more robust counternarcotics regimes elsewhere, especially in Mexico and Colombia. Often unimpeded, traffickers use long Central American coastlines for illegal maritime drug shipments. Even though there have been noteworthy seizures, a high proportion of drugs transiting Central America are not detected or seized.

The March 2008 gun battle between drug organizations in Guatemala demonstrates that criminal organizations such as the Sinaloa cartel are trying to reinforce their trafficking strongholds in Central America. In 2008, Guatemala passed new anti-organized crime and extradition laws. While such actions are encouraging, Guatemala must work aggressively to implement these measures, just as neighboring countries must redouble their practical efforts to implement adopted reforms aimed at thwarting criminal activity.

The United States is encouraged by the commitment of the Regional Integration System to a regional response, such as sharing counternarcotics intelligence. Support for cohesive regional institution-building and practical law enforcement enhancements in Central America are critical components



### Other Presidential Documents

to a successful regional counternarcotics strategy. We look forward to working with Guatemala and other Central American nations to support counternarcotics programs and the rule of law under the new Merida Initiative.

The Government of Ecuador is committed to protecting its borders and territory against drug trafficking and other transnational crimes. The increased presence of Ecuadorian security forces in its counternarcotics efforts provided a more effective deterrent to drug production and trafficking. The identification of new trafficking trends and increased staffing and inspection at all air, land, and sea ports are also helping to hinder drug trafficking. With a system for tracking vessels already in place, Ecuador is expanding this capability and more effectively utilizing it as a tool for working with partner nations. The country's ability to identify the nationality of ships is of special concern as considerable cocaine destined for the United States has been detected on Ecuadorian-flagged vessels.

The countries of West Africa have emerged as key transit hubs for Andean cocaine trafficked through Venezuela and Brazil and destined for European markets. This trafficking is undermining many of the already fragile institutions of countries in the region. Narcotics traffickers have focused their illegal activities in Guinea-Bissau, but have recently extended their operations south to Guinea. The presence of Latin American drug traffickers and the large quantities of cocaine trafficked openly suggest that drug criminals may exercise the prerogatives of sovereign nation-states in these two countries. West Africa has long been a hub for illicit criminal networks. West African states lack resources to sufficiently counter efforts by drug trafficking organizations whose activity threatens the stability of these countries and the well-being of their people.

International donors and organizations are working to assist governments in their counternarcotic efforts. We support these efforts to preserve and protect stability and positive growth in this region.

Nigeria, a major transit country for illicit drugs destined for the United States, continues to make some progress on counternarcotics and has cooperated effectively with the United States on drug-related money laundering cases. Since it began operations in 2005, the Nigerian Financial Intelligence Unit has investigated numerous suspicious transaction reports that have resulted in high-profile convictions recorded by the Economic and Financial Crimes Commission (EFCC). However, recent developments in Nigeria raise questions about whether the EFCC will remain an effective anticorruption agency. The United States Government has had extradition requests pending in Nigeria for years and is concerned that Nigeria's extradition practices and procedures remain obstacles to the effectiveness of this essential counternarcotics law enforcement tool. We are encouraged that Nigeria's use of U.S.-donated body scanners at its four major international airports has resulted in the arrest of numerous drug traffickers. Moreover, we fully support the National Drug Law Enforcement Agency's recent cooperation in regional search and seizure operations.

The Government of India maintains a strong track record of regulating, monitoring, and curbing its licit opium production and distribution process. India has introduced robust, high-tech methods to control cultivation by licensed opium farmers. In this sense, India must continue to refine its control measures to guard against the continuing problem of diversion of licit opium crops, grown for the production of pharmaceutical products, to

### Title 3—The President

illegal markets. The United States continues to be concerned about illicit opium poppy production in certain areas of the country, such as West Bengal and the state of Uttaranchal along the India-China Border, previously thought to be free of such cultivation. Nevertheless, during the past year the country has destroyed substantial areas of illicit poppy cultivation. The Indian Government must also continue to investigate cases of large, illicit poppy production and accordingly bring perpetrators to trial. The United States, along with other foreign governments and international organizations, has a good working relationship with India to interdict the flow of narcotics being smuggled across India's borders.

You are hereby authorized and directed to submit this report under section 706 of the FRAA, transmit it to the Congress, and publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
Washington, September 15, 2008.

#### Memorandum of September 18, 2008

#### **Designation of Officers of the Council on Environmental Quality to Act as Chairman of the Council on Environmental Quality**

##### *Memorandum for the Chairman of the Council on Environmental Quality*

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.*, it is hereby ordered that:

**Section 1. Order of Succession.** Subject to the provisions of section 2 of this memorandum, the following officials of the Council on Environmental Quality in the order listed, shall act as and perform the functions and duties of the office of the Chairman of the Council on Environmental Quality (Chairman), during any period in which the Chairman has died, resigned, or otherwise become unable to perform the functions and duties of the office of Chairman until such time as the Chairman is able to perform the functions and duties of that office:

- (a) Chief of Staff;
- (b) General Counsel; and
- (c) Associate Directors in the order that they shall have been appointed as such.

##### **Sec. 2. Exceptions.**

- (a) No individual who is serving in an office listed in section 1 in an acting capacity, by virtue of so serving, shall act as the Chairman pursuant to this memorandum.
- (b) No individual listed in section 1 shall act as Chairman unless that individual is otherwise eligible to so serve under the Federal Vacancies Reform Act of 1998.

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(c) Notwithstanding the provisions of this memorandum, the President retains discretion, to the extent permitted by law, to depart from this order in designating an acting Chairman.

**Sec. 3. *Judicial Review.*** This memorandum is intended to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

**Sec. 4.** You are authorized and directed to publish this memorandum in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, September 18, 2008.*

### Notice of September 18, 2008

### **Continuation of the National Emergency With Respect to Persons Who Commit, Threaten to Commit, or Support Terrorism**

On September 23, 2001, by Executive Order 13224, I declared a national emergency with respect to persons who commit, threaten to commit, or support terrorism, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks in New York, in Pennsylvania, and against the Pentagon committed on September 11, 2001, and the continuing and immediate threat of further attacks against United States nationals or the United States. Because the actions of these persons who commit, threaten to commit, or support terrorism continue to pose an unusual and extraordinary threat to the United States, the national emergency declared on September 23, 2001, and the measures adopted on that date to deal with that emergency, must continue in effect beyond September 23, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to persons who commit, threaten to commit, or support terrorism.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*September 18, 2008.*

### **Title 3—The President**

**Memorandum of September 25, 2008**

#### **Assignment of Function Under Section 203(e)(2)(A) of the Andean Trade Preference Act, As Amended**

*Memorandum for the United States Trade Representative*

I propose to suspend Bolivia's designation as a beneficiary country under the Andean Trade Preference Act, as amended (the "Act"), and as an Andean Trade Promotion and Drug Eradication Act beneficiary country.

By virtue of the authority vested in me by the Constitution and laws of the United States, including section 301 of title 3 of the United States Code and the Act, you are hereby assigned the function vested in me by section 203(e)(2)(A) of the Act (19 U.S.C. 3202(e)(2)(A)), to publish a notice in the **Federal Register** announcing the proposed action set forth above.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, September 25, 2008.*

**Presidential Determination No. 2008–29 of September 30, 2008**

#### **Fiscal Year 2009 Refugee Admissions Numbers And Authorizations of In-country Refugee Status Pursuant To Sections 207 And 101(A)(42), Respectively, of the Immigration And Nationality Act, And Determination Pursuant To Section 2(B)(2) of the Migration And Refugee Assistance Act, As Amended**

*Memorandum for the Secretary of State [and] the Secretary of Homeland Security*

In accordance with section 207 of the Immigration and Nationality Act (the "Act") (8 U.S.C. 1157), as amended, and after appropriate consultations with the Congress, I hereby make the following determinations and authorize the following actions:

The admission of up to 80,000 refugees to the United States during Fiscal Year(FY) 2009 is justified by humanitarian concerns or is otherwise in the national interest; provided, however, that this number shall be understood as including persons admitted to the United States during FY 2009 with Federal refugee resettlement assistance under the Amerasian immigrant admissions program, as provided below. The ceiling shall be construed as a maximum not to be exceeded and not a minimum to be achieved.

### Other Presidential Documents

The 80,000 admissions numbers shall be allocated among refugees of special humanitarian concern to the United States in accordance with the following regional allocations; provided, however, that the number of admissions allocated to the East Asia region shall include persons admitted to the United States during FY 2009 with Federal refugee resettlement assistance under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988, as contained in section 101(e) of Public Law 100-202 (Amerasian immigrants and their family members):

Africa	12,000
East Asia	19,000
Europe and Central Asia	2,500
Latin America/Caribbean	4,500
Near East/South Asia	37,000
Unallocated Reserve	5,000

The 5,000 unallocated refugee numbers shall be allocated to regional ceilings, as needed. Upon providing notification to the Judiciary Committees of the Congress, the Secretary of State is hereby authorized to use unallocated admissions in regions where the need for additional admissions arises.

Additionally, upon notification to the Judiciary Committees of the Congress, the Secretary of State is further authorized to transfer unused admissions allocated to a particular region to one or more other regions, if there is a need for greater admissions for the region or regions to which the admissions are being transferred. Consistent with section 2(b)(2) of the Migration and Refugee Assistance Act of 1962, as amended, I hereby determine that assistance to or on behalf of persons applying for admission to the United States as part of the overseas refugee admissions program will contribute to the foreign policy interests of the United States and designate such persons for this purpose.

Consistent with section 101(a)(42) of the Act (8 U.S.C. 1101(a)(42)), and after appropriate consultation with the Congress, I also specify that, for FY 2009, the following persons may, if otherwise qualified, be considered refugees for the purpose of admission to the United States within their countries of nationality or habitual residence:

- a. Persons in Vietnam
- b. Persons in Cuba
- c. Persons in the former Soviet Union
- d. Persons in Iraq
- e. In exceptional circumstances, persons identified by a United States Embassy in any location

The Secretary of State is authorized and directed to report this determination to the Congress immediately and to publish it in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
Washington, September 30, 2008.

### Title 3—The President

Memorandum of October 3, 2008

#### Designation of Officers of the Office of the Director of National Intelligence to Act as Director of National Intelligence

*Memorandum for the Director of National Intelligence*

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.*,

it is hereby ordered that:

**Section 1.** Subject to the provisions of sections 2 and 3 of this memorandum, the following officers of the office of the Director of National Intelligence, in the order listed, shall act as and perform the functions and duties of the office of the Director of National Intelligence (DNI), during any period in which the DNI and the Principal Deputy Director of National Intelligence have died, resigned, or otherwise become unable to perform the functions and duties of the office of the DNI, until such time as the DNI or the Principal Deputy Director is able to perform the functions and duties of the office of DNI:

- (a) Director of the Intelligence Staff;
- (b) Deputy Director of National Intelligence for Policy, Plans, and Requirements;
- (c) Deputy Director of National Intelligence for Analysis;
- (d) Deputy Director of National Intelligence for Collection;
- (e) Director of the National Counterterrorism Center; and
- (f) National Counterintelligence Executive.

**Sec. 2. *National Security Act of 1947.*** This memorandum shall not supersede the authority of the Principal Deputy Director of National Intelligence to act for, and exercise the powers of, the Director of National Intelligence during the absence or disability of the Director of National Intelligence or during a vacancy in the position of Director of National Intelligence (National Security Act of 1947, as amended, 50 U.S.C. 403–3a).

**Sec. 3. *Exceptions.*** (a) No individual who is serving in an office listed in section 1 in an acting capacity, by virtue of so serving, shall act as DNI pursuant to this memorandum.

(b) No individual listed in section 1 shall act as DNI unless that individual is otherwise eligible to so serve under the Federal Vacancies Reform Act of 1998.

(c) Notwithstanding the provisions of this memorandum, the President retains discretion, to the extent permitted by law, to depart from this memorandum in designating an acting DNI.

**Sec. 4.** This memorandum supersedes the President's memorandum of December 20, 2005 (Designation of Officers of the Office of the Director of National Intelligence to Act as Director of National Intelligence).

**Sec. 5.** This memorandum is intended to improve the internal management of the executive branch and is not intended to, and does not, create any

### Other Presidential Documents

right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

**Sec. 6.** You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, October 3, 2008.*

### Presidential Determination No. 2009–1 of October 3, 2008

### Unexpected Urgent Humanitarian Needs Related to Pakistan, Afghanistan, and Georgia

#### *Memorandum for the Secretary of State*

By the authority vested in me by the Constitution and the laws of the United States, including sections 2 and 4(a)(1) of the Migration and Refugee Assistance Act of 1962 (the “Act”), as amended, (22 U.S.C. 2601 and 2603) and section 301 of title 3, United States Code:

(1) I hereby determine, pursuant to section 2(c)(1) of the Act, that it is important to the national interest to furnish assistance under the Act, in an amount not to exceed \$8.3 million from the United States Emergency Refugee and Migration Assistance Fund, for the purpose of meeting unexpected and urgent refugee and migration needs in Pakistan and Afghanistan resulting from intensified armed conflict and flooding, and in Georgia due to recent violence, including by contributions to international, governmental, and nongovernmental organizations, and payment of administrative expenses of the Bureau of Population, Refugees, and Migration of the Department of State; and

(2) The functions of the President in relation to this memorandum under section 2(d) of the Act, and of establishing terms and conditions under section 2(c)(1) of the Act, are assigned to you, and you may further assign such functions to your subordinates, consistent with applicable law.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, October 3, 2008.*

### **Title 3—The President**

#### **Presidential Determination No. 2009–2 of October 6, 2008**

#### **Waiver of Restriction on Providing Funds to the Palestinian Authority**

##### *Memorandum for the Secretary of State*

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 650(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (Division J, Public Law 110–161) (the “Act”), as carried forward under section 1417 of the Supplemental Appropriations Act, 2008 (Public Law 110–252) (the “Supplemental”), I hereby certify that it is important to the national security interests of the United States to waive the provisions of section 650(a) of the Act, as carried forward under the Supplemental, in order to provide funds appropriated for fiscal year 2009 under the heading Economic Support Funds to the Palestinian Authority.

You are directed to transmit this determination to the Congress, with a report pursuant to section 650(d) of the Act, as carried forward under the Supplemental, and to publish the determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,

*Washington, October 6, 2008.*

#### **Presidential Determination No. 2009–3 of October 9, 2008**

#### **Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization Office**

##### *Memorandum for the Secretary of State*

Pursuant to the authority and conditions contained in section 634(d) of the Department of State, Foreign Operations and Related Programs Appropriations Act, 2008 (Division J, Public Law 110–161), as carried forward by the Continuing Appropriations Resolution, 2009 (Division A, Public Law 110–329), I hereby determine and certify that it is important to the national security interests of the United States to waive the provisions of section 1003 of the Anti-Terrorism Act of 1987, Public Law 100–204.

This waiver shall be effective for a period of 6 months from the date hereof. You are hereby authorized and directed to transmit this determination to the Congress and to publish it in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,

*Washington, October 9, 2008.*



## Other Presidential Documents

Presidential Determination No. 2009–4 of October 15, 2008

### Provision of U.S. Drug Interdiction Assistance to the Government of Brazil

*Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 1012 of the National Defense Authorization Act for Fiscal Year 1995, as amended (22 U.S.C. 2291–4), I hereby certify, with respect to Brazil, that (1) interdiction of aircraft reasonably suspected to be primarily engaged in illicit drug trafficking in that country's airspace is necessary because of the extraordinary threat posed by illicit drug trafficking to the national security of that country; and (2) that country has appropriate procedures in place to protect against innocent loss of life in the air and on the ground in connection with such interdiction, which shall at a minimum include effective means to identify and warn an aircraft before the use of force is directed against the aircraft.

The Secretary of State is authorized and directed to publish this determination in the *Federal Register* and to notify the Congress of this determination.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, October 15, 2008.*

Notice of October 16, 2008

### Continuation of the National Emergency With Respect To Significant Narcotics Traffickers Centered in Colombia

On October 21, 1995, by Executive Order 12978, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of significant narcotics traffickers centered in Colombia, and the extreme level of violence, corruption, and harm such actions cause in the United States and abroad.

Because the actions of significant narcotics traffickers centered in Colombia continue to threaten the national security, foreign policy, and economy of the United States and to cause an extreme level of violence, corruption, and harm in the United States and abroad, the national emergency declared on October 21, 1995, and the measures adopted pursuant thereto to deal with that emergency, must continue in effect beyond October 21, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to significant narcotics traffickers centered in Colombia. This

### **Title 3—The President**

notice shall be published in the *Federal Register* and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*October 16, 2008.*

#### **Memorandum of October 17, 2008**

#### **Designation of Officers of the Social Security Administration to Act as the Commissioner of Social Security**

##### *Memorandum for the Commissioner of Social Security*

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.*, it is hereby ordered that:

**Section 1. Order of Succession.** Subject to the provisions of section 2 of this memorandum, the following officials of the Social Security Administration, in the order listed, shall act as and perform the functions and duties of the office of the Commissioner of Social Security (Commissioner), during any period in which both the Commissioner and Deputy Commissioner have died, resigned, or become otherwise unable to perform the functions and duties of the office of the Commissioner, until such time as the Commissioner or Deputy Commissioner are able to perform the duties of that office:

- (a) Chief of Staff;
- (b) Deputy Commissioner for Operations;
- (c) Deputy Commissioner for Budget, Finance and Management;
- (d) Deputy Commissioner for Systems;
- (e) Deputy Commissioner for Quality Performance;
- (f) Regional Commissioner, Atlanta; and
- (g) Regional Commissioner, Dallas.

**Sec. 2. Exceptions.** (a) No individual who is serving in an office listed in section 1 in an acting capacity, by virtue of so serving, shall act as Commissioner pursuant to this memorandum.

(b) No individual listed in section 1 shall act as Commissioner unless that individual is otherwise eligible to so serve under the Federal Vacancies Reform Act of 1998.

(c) Notwithstanding the provisions of this memorandum, the President retains the discretion, to the extent permitted by law, to depart from this memorandum in designating an acting Commissioner.

**Sec. 3.** This memorandum supersedes the President's Memorandum of April 17, 2006 (Designation of Officers of the Social Security Administration).

**Sec. 4.** This memorandum is intended to improve the internal management of the executive branch and is not intended to, and does not, create any

### Other Presidential Documents

right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

**Sec. 5.** You are authorized and directed to publish this memorandum in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, October 17, 2008.*

### Presidential Determination No. 2009–5 of October 17, 2008

### Presidential Determination With Respect To Foreign Governments' Efforts Regarding Trafficking In Persons

#### *Memorandum for the Secretary of State*

Consistent with section 110 of the Trafficking Victims Protection Act of 2000 (Division A of Public Law 106–386), as amended, (the “Act”), I hereby:

Make the determination provided in section 110(d)(1)(A)(i) of the Act, with respect to Burma, the Democratic People’s Republic of Korea (DPRK), and Syria, not to provide certain funding for those countries’ governments for Fiscal Year 2009, until such government complies with the minimum standards or makes significant efforts to bring itself into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;

- Make the determination provided in section 110(d)(1)(A)(ii) of the Act, with respect to Cuba and Iran not to provide certain funding for those countries’ governments for Fiscal Year 2009, until such government complies with the minimum standards or makes significant efforts to bring itself into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;
- Make the determination provided in section 110(d)(3) of the Act, concerning the determination of the Secretary of State with respect to Moldova and Oman;
- Determine, consistent with section 110(d)(4) of the Act, with respect to Algeria, Fiji, Kuwait, Papua New Guinea, Qatar, Saudi Arabia, and Sudan, that provision to these countries’ governments of all programs, projects, or activities of assistance described in sections 110(d) (1)(A)(i) and 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

### **Title 3—The President**

- Determine, consistent with section 110(d)(4) of the Act, with respect to the DPRK, that a partial waiver to allow funding for programs described in section 110(d)(1)(A)(i) of the Act that support the goals of the Six-Party talks would promote the purposes of the Act or is otherwise in the national interest of the United States; and
- Determine, consistent with section 110(d)(4) of the Act, with respect to Iran, that a partial waiver to allow funding for educational and cultural exchange programs described in section 110(d)(1)(A)(ii) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States.

You are hereby authorized and directed to submit this determination and the certification required by section 110(e) of the Act to the Congress and to publish this determination in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, October 17, 2008.*

### **Presidential Determination No. 2009–6 of October 20, 2008**

#### **Certifications Pursuant to the United States-India Nuclear Cooperation Approval and Nonproliferation Enhancement Act (Public Law 110–369)**

##### *Memorandum for the Secretary of State*

Pursuant to section 102(c) and section 204(a) of the United States-India Nuclear Cooperation Approval and Nonproliferation Enhancement Act, I hereby certify that:

1. Entry into force and implementation of the United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy pursuant to its terms is consistent with the obligation of the United States under the Treaty on the Non-Proliferation of Nuclear Weapons not in any way to assist, encourage, or induce India to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and
2. It is the policy of the United States to work with members of the Nuclear Suppliers Group, individually and collectively, to agree to further restrict the transfers of equipment and technology related to the enrichment of uranium and reprocessing of spent nuclear fuel.

You are authorized and directed to publish this determination in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, October 20, 2008.*

## Other Presidential Documents

Notice of October 22, 2008

### **Continuation of the National Emergency With Respect to the Situation in or in Relation to the Democratic Republic of the Congo**

On October 27, 2006, by Executive Order 13413, I declared a national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo and, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706), ordered related measures blocking the property of certain persons contributing to the conflict in that country. I took this action to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the situation in or in relation to the Democratic Republic of the Congo, which has been marked by widespread violence and atrocities that continue to threaten regional stability.

Because this situation continues to pose an unusual and extraordinary threat to the foreign policy of the United States, the national emergency declared on October 27, 2006, and the measures adopted on that date to deal with that emergency, must continue in effect beyond October 27, 2008. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13413.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,

October 22, 2008.

Notice of October 30, 2008

### **Continuation of the National Emergency with Respect to the Situation in or in Relation to Sudan**

On November 3, 1997, by Executive Order 13067, a national emergency was declared with respect to Sudan, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706), to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Sudan. On April 26, 2006, in Executive Order 13400, I determined that the conflict in Sudan's Darfur region posed an unusual and extraordinary threat to the national security and foreign policy of the United States, expanded the scope of the national emergency to deal with that threat, and ordered the blocking of property of certain persons connected to the conflict. On October 13, 2006, I issued Executive Order 13412 to take additional steps with respect to the national emergency and to implement the Darfur Peace and Accountability Act of 2006 (Public Law 109–344).

### **Title 3—The President**

Because the actions and policies of the Government of Sudan continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on November 3, 1997, as expanded on April 26, 2006, must continue in effect beyond November 3, 2008. Therefore, consistent with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Sudan.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,

*October 30, 2008.*

#### **Memorandum of October 31, 2008**

#### **Assignment of Functions Under Section 1265 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181)**

*Memorandum for the Secretary of State*

By virtue of the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby assign to you the reporting function conferred upon the President by section 1265 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181).

You are authorized and directed to publish this memorandum in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,

*Washington, October 31, 2008.*

#### **Notice of November 10, 2008**

#### **Continuation of the National Emergency with Respect to Iran**

On November 14, 1979, by Executive Order 12170, the President declared a national emergency with respect to Iran pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706), to deal with the unusual and extraordinary threat to the national security, foreign policy,

### Other Presidential Documents

and economy of the United States constituted by the situation in Iran. Because our relations with Iran have not yet returned to normal, and the process of implementing the January 19, 1981, agreements with Iran is still underway, the national emergency declared on November 14, 1979, must continue in effect beyond November 14, 2008. Therefore, consistent with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year this national emergency with respect to Iran.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
November 10, 2008.

### Notice of November 10, 2008

#### **Continuation of National Emergency with Respect to Weapons of Mass Destruction**

On November 14, 1994, by Executive Order 12938, the President declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons (weapons of mass destruction) and the means of delivering such weapons. On July 28, 1998, the President issued Executive Order 13094 amending Executive Order 12938 to respond more effectively to the worldwide threat of weapons of mass destruction proliferation activities. On June 28, 2005, I issued Executive Order 13382 that, *inter alia*, further amended Executive Order 12938 to improve our ability to combat proliferation. The proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States; therefore, the national emergency first declared on November 14, 1994, and extended in each subsequent year, must continue. In accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 12938, as amended.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
November 10, 2008.

### **Title 3—The President**

**Presidential Determination No. 2009–7 of November 14, 2008**

#### **Proposed Agreement for Cooperation Between the Government of the United States of America And the Government of the United Arab Emirates Concerning Peaceful Uses of Nuclear Energy**

*Memorandum for the Secretary of State [and] the Secretary of Energy*

I have considered the proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the United Arab Emirates Concerning Peaceful Uses of Nuclear Energy, along with the views, recommendations, and statements of the interested agencies.

I have determined that the performance of the Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. Pursuant to section 123 b. of the Atomic Energy Act of 1954, as amended ( 42 U.S.C. 2153 (b) ), I hereby approve the proposed Agreement and authorize the Secretary of State to arrange for its execution.

The Secretary of State is authorized and directed to publish this determination in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, November 14, 2008.*

**Memorandum of November 25, 2008**

#### **Provision of Marine War Risk Insurance Coverage**

*Memorandum for the Secretary of State[,] the Secretary of Transportation [and] the Director of the Office of Management And Budget*

By virtue of the authority vested in me by the Constitution and laws of the United States, including 3 U.S.C. 301 and 46 U.S.C. chapter 539, I hereby approve the provision by the Secretary of Transportation of insurance or reinsurance of vessels (including cargo and crew) against loss or damage from war risks in the manner and to the extent provided in chapter 539 of title 46, United States Code, for trade in the Black Sea, whenever, after consultation with the Secretary of State, it appears to the Secretary of Transportation that such insurance adequate for the needs of the waterborne commerce of the United States cannot be obtained on reasonable terms and conditions from companies authorized to do insurance business in a State of the United States. To the extent individual policies involve an exposure in excess of the amounts available in the War Risk Revolving Fund, such policies may be issued only after consultation with the Office of Management and Budget. This approval to provide insurance or reinsurance is effective for 90 days, except that existing policies shall remain in force pursuant to the terms of these policies. I hereby delegate to the Secretary of Transportation, in consultation with the Secretary of State, the authority vested in me by 46 U.S.C. 53902 and 53905.



### Other Presidential Documents

The Secretary of Transportation is directed to bring the approval to the immediate attention of all U.S.-flag vessel operators and to arrange for its publication in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, November 25, 2008.*

### Presidential Determination No. 2009–8 of December 4, 2008

### Suspension of Limitations Under the Jerusalem Embassy Act

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me as President by the Constitution and the laws of the United States, including section 7(a) of the Jerusalem Embassy Act of 1995 (Public Law 104–45) (the “Act”), I hereby determine that it is necessary to protect the national security interests of the United States to suspend for a period of 6 months the limitations set forth in sections 3(b) and 7(b) of the Act. My Administration remains committed to beginning the process of moving our embassy to Jerusalem.

You are hereby authorized and directed to transmit this determination to the Congress, accompanied by a report in accordance with section 7(a) of the Act, and to publish the determination in the *Federal Register*.

This suspension shall take effect after transmission of this determination and report to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, December 4, 2008.*

### Memorandum of December 9, 2008

### Designation of Officers of the Pension Benefit Guaranty Corporation To Act As Director of the Pension Benefit Guaranty Corporation

#### *Memorandum for the Director of the Pension Benefit Guaranty Corporation*

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.*, it is hereby ordered that:

**Section 1. Order of Succession.** Subject to the provisions of section 2 of this memorandum, the following officials of the Pension Benefit Guaranty Corporation, in the order listed, shall act as and perform the functions and duties of the office of the Director of the Pension Benefit Guaranty Corporation (Director), during any period in which the Director has died, resigned,

### **Title 3—The President**

or otherwise become unable to perform the functions and duties of the office of Director, until such time as the Director is able to perform the functions and duties of that office:

- (a) Deputy Director for Operations;
- (b) Chief Management Officer;
- (c) Chief Operating Officer; and
- (d) General Counsel.

**Sec. 2. Exceptions.** a) No individual who is serving in an office listed in section 1 in an acting capacity, by virtue of so serving, shall act as the Director pursuant to this memorandum.

(b) No individual listed in section 1 shall act as Director unless that individual is otherwise eligible to so serve under the Federal Vacancies Reform Act of 1998.

(c) Notwithstanding the provisions of this memorandum, the President retains discretion, to the extent permitted by law, to depart from this memorandum in designating an acting Director.

**Sec. 3.** This memorandum is intended to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

**Sec. 4.** You are authorized and directed to publish this memorandum in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, December 9, 2008.*

**Memorandum of December 9, 2008**

### **Designation of Officers of the United States Agency for International Development To Act As Administrator**

*Memorandum for the Administrator of the United States Agency for International Development*

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.*, it is hereby ordered that:

**Section 1. Order of Succession.** Subject to the provisions of section 2 of this memorandum, the Assistant Administrators for the Bureaus, in the order in which they were appointed as an Assistant Administrator, shall act as and perform the functions and duties of the office of the Administrator (Administrator), during any period in which the Administrator and the Deputy Administrator have died, resigned, or otherwise become unable

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to perform the functions and duties of the office of Administrator, until such time as the Administrator or Deputy Administrator are able to perform the functions and duties of that office:

- (a) Bureau for Africa;
- (b) Bureau for Asia;
- (c) Bureau for Democracy, Conflict, and Humanitarian Assistance;
- (d) Bureau for Economic Growth, Agriculture, and Trade;
- (e) Bureau for Europe and Eurasia;
- (f) Bureau for Global Health;
- (g) Bureau for Latin America and the Caribbean;
- (h) Bureau for Legislative and Public Affairs;
- (i) Bureau for Management; and
- (j) Bureau for the Middle East.

**Sec. 2. Exceptions.** (a) No individual who is serving in an office listed in section 1 in an acting capacity, by virtue of so serving, shall act as the Administrator pursuant to this memorandum.

(b) No individual listed in section 1 shall act as Administrator unless that individual is otherwise eligible to so serve under the Federal Vacancies Reform Act of 1998.

(c) Notwithstanding the provisions of this memorandum, the President retains discretion, to the extent permitted by law, to depart from this memorandum in designating an acting Administrator.

**Sec. 3.** This memorandum supersedes the President's memorandum of July 10, 2002, (Designation of Officers of the United States Agency for International Development to Act as Administrator).

**Sec. 4.** This memorandum is intended to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

**Sec. 5.** You are authorized and directed to publish this memorandum in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, December 9, 2008.*

### **Title 3—The President**

**Presidential Determination No. 2009–9 of December 18, 2008**

#### **Unexpected Urgent Humanitarian Needs Related to the Democratic Republic of Congo, Rwanda, and Uganda**

*Memorandum for the Secretary of State*

By the authority vested in me by the Constitution and the laws of the United States, including sections 2 and 4(a)(1) of the Migration and Refugee Assistance Act of 1962 (the “Act”), as amended, (22 U.S.C. 2601 and 2603) and section 301 of title 3, United States Code:

(1) I hereby determine, pursuant to section 2(c)(1) of the Act, that it is important to the national interest to furnish assistance under the Act in an amount not to exceed \$6 million from the United States Emergency Refugee and Migration Assistance Fund, for the purpose of meeting unexpected and urgent refugee and migration needs related to humanitarian needs of Congolese refugees and internally displaced, including by contributions to international, governmental, and nongovernmental organizations and payment of administrative expenses of the Bureau of Population, Refugees, and Migration of the Department of State; and

(2) The functions of the President in relation to this memorandum under section 2(d) of the Act, and of establishing terms and conditions under section 2(c)(1) of the Act, are assigned to you, and you may further assign such functions to your subordinates, consistent with applicable law.

You are authorized and directed to publish this memorandum in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, December 18, 2008.*

**Memorandum of December 23, 2008**

#### **Provision of Aviation Insurance Coverage for Commercial Air Carrier Service in Domestic and International Operations**

*Memorandum for the Secretary of Transportation*

By the authority vested in me as President by the Constitution and laws of the United States including 49 U.S.C. 44302, *et seq.*, I hereby:

1. Determine that continuation of U.S.-flag commercial air service is necessary in the interest of air commerce, national security, and the foreign policy of the United States.

2. Approve provision by the Secretary of Transportation (Secretary) of insurance or reinsurance to U.S.-flag air carriers against loss or damage arising out of any risk from the operation of an aircraft in the manner and to the extent provided in chapter 443 of 49 U.S.C.:

(a) Until March 31, 2009;

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(b) After March 31, 2009, but no later than August 31, 2009, when the Secretary determines that such insurance or reinsurance cannot be obtained on reasonable terms and conditions from any company authorized to conduct an insurance business in a State of the United States.

3. Delegate to the Secretary the authority, vested in me by 49 U.S.C. 44306(c), to extend this determination for additional periods beyond March 31, 2009, but no later than August 31, 2009, when the Secretary finds that the continued operation of aircraft to be insured or reinsured is necessary in the interest of air commerce or the national security, or to carry out the foreign policy of the United States Government.

You are directed to bring this determination immediately to the attention of all air carriers within the meaning of 49 U.S.C. 40102(2), and to arrange for its publication in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, December 23, 2008.*



## CHAPTER I—EXECUTIVE OFFICE OF THE PRESIDENT

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## **PART 100—STANDARDS OF CONDUCT**

AUTHORITY: 5 U.S.C. 7301.

SOURCE: 64 FR 12881, Mar. 16, 1999, unless otherwise noted.

### **§ 100.1 Ethical conduct standards and financial disclosure regulations.**

Employees of the Executive Office of the President are subject to the executive branch-wide standards of ethical conduct at 5 CFR part 2635, and the executive branch-wide financial disclosure regulations at 5 CFR part 2634.

## **PART 101—PUBLIC INFORMATION PROVISIONS OF THE ADMINISTRATIVE PROCEDURES ACT**

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- 101.1 Executive Office of the President.
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- 101.3 Office of Administration.
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- 101.6 Office of National Drug Control Policy.
- 101.7 Office of Science and Technology Policy.
- 101.8 Office of the United States Trade Representative.

AUTHORITY: 5 U.S.C. 552.

SOURCE: 40 FR 8061, Feb. 25, 1975 and 55 FR 46067, November 1, 1990, unless otherwise noted.

### **§ 101.1 Executive Office of the President.**

Until further regulations are promulgated, the remainder of the entities within the Executive Office of the President, to the extent that 5 U.S.C. 552 is applicable, shall follow the procedures set forth in the regulations applicable to the Office of Management and Budget (5 CFR Ch. III). Requests for information from these other entities should be submitted directly to such entity.

### **§ 101.2 Office of Management and Budget.**

Freedom of Information regulations for the Office of Management and Budget appear at 5 CFR Ch. III.

### **§ 101.3 Office of Administration.**

Freedom of Information regulations for the Office of Administration appear at 5 CFR part 2502.

[55 FR 46037, Nov. 1, 1990]

### **§ 101.4 National Security Council.**

Freedom of Information regulations for the National Security Council appear at 32 CFR Ch. XXI.

### **§ 101.5 Council on Environmental Quality.**

Freedom of Information regulations for the Council on Environmental Quality appear at 40 CFR Ch. V.

[42 FR 65131, Dec. 30, 1977]

### **§ 101.6 Office of National Drug Control Policy.**

Freedom of Information regulations for the Office of National Drug Control Policy appear at 21 CFR parts 1400–1499.

[55 FR 46037, Nov. 1, 1990]

### **§ 101.7 Office of Science and Technology Policy.**

Freedom of Information regulations for the Office of Science and Technology Policy appear at 32 CFR part 2402.

[55 FR 46037, Nov. 1, 1990]

### **§ 101.8 Office of the United States Trade Representative.**

Freedom of Information regulations for the Office of the United States Trade Representative appear at 15 CFR part 2004.

[55 FR 46037, Nov. 1, 1990]

## **PART 102—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE EXECUTIVE OFFICE OF THE PRESIDENT**

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- 102.102 Application.
- 102.103 Definitions.
- 102.104–102.109 [Reserved]
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- 102.111 Notice.
- 102.112–102.129 [Reserved]



## Executive Office of the President

## § 102.103

102.130 General prohibitions against discrimination.  
102.131–102.139 [Reserved]  
102.140 Employment.  
102.141–102.148 [Reserved]  
102.149 Program accessibility: Discrimination prohibited.  
102.150 Program accessibility: Existing facilities.  
102.151 Program accessibility: New construction and alterations.  
102.152–102.159 [Reserved]  
102.160 Communications.  
102.161–102.169 [Reserved]  
102.170 Compliance procedures.  
102.171–102.999 [Reserved]

AUTHORITY: 29 U.S.C. 794.

SOURCE: 53 FR 25879, July 8, 1988, unless otherwise noted.

### § 102.101 Purpose.

The purpose of this regulation is to effectuate section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, which amended section 504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of handicap in programs or activities conducted by Executive agencies or the United States Postal Service.

### § 102.102 Application.

This regulation (§§ 102.101–102.170) applies to all programs or activities conducted by the agency, except for programs or activities conducted outside the United States that do not involve individuals with handicaps in the United States.

### § 102.103 Definitions.

For purposes of this regulation, the term—

*Agency* means, for purposes of this regulation only, the following entities in the Executive Office of the President: the White House Office, the Office of the Vice President, the Office of Management and Budget, the Office of Policy Development, the National Security Council, the Office of Science and Technology Policy, the Office of the United States Trade Representative, the Council on Environmental Quality, the Council of Economic Advisers, the Office of Administration, the Office of Federal Procurement Policy, and any committee, board, com-

mission, or similar group established in the Executive Office of the President.

*Agency head or head of the agency*; as used in §§ 102.150(a)(3), 102.160(d) and 102.170 (i) and (j), shall be a three-member board which will include the Director, Office of Administration, the head of the Executive Office of the President, agency in which the issue needing resolution or decision arises and one other agency head selected by the two other board members. In the event that an issue needing resolution or decision arises within the Office of Administration, one of the board members shall be the Director of the Office of Management and Budget.

*Assistant Attorney General* means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.

*Auxiliary aids* means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the agency. For example, auxiliary aids useful for persons with impaired vision include readers, Brailled materials, audio recordings, and other similar services and devices. Auxiliary aids useful for persons with impaired hearing include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TDD's), interpreters, notetakers, written materials, and other similar services and devices.

*Complete complaint* means a written statement that contains the complainant's name and address and describes the agency's alleged discriminatory action in sufficient detail to inform the agency of the nature and date of the alleged violation of section 504. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

*Facility* means all or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other conveyances, or other real or personal property.

*Historic preservation programs* means programs conducted by the agency that

have preservation of historic properties as a primary purpose.

*Historic properties* means those properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under a statute of the appropriate State or local government body.

*Individual with handicaps* means any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

As used in this definition, the phrase:

(1) *Physical or mental impairment* includes—

(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or

(ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, and drug addiction and alcoholism.

(2) *Major life activities* includes functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(3) *Has a record of such an impairment* means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) *Is regarded as having an impairment* means—

(i) Has a physical or mental impairment that does not substantially limit major life activities but is treated by the agency as constituting such a limitation;

(ii) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or

(iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by the agency as having such an impairment.

*Qualified individual with handicaps* means—

(1) With respect to preschool, elementary, or secondary education services provided by the agency, an individual with handicaps who is a member of a class of persons otherwise entitled by statute, regulation, or agency policy to receive education services from the agency;

(2) With respect to any other agency program or activity under which a person is required to perform services or to achieve a level of accomplishment, an individual with handicaps who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the agency can demonstrate would result in a fundamental alteration in its nature;

(3) With respect to any other program or activity, an individual with handicaps who meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity; and

(4) “Qualified handicapped person” as that term is defined for purposes of employment in 29 CFR 1613.702(f), which is made applicable to this regulation by § 102.140.

*Section 504* means section 504 of the Rehabilitation Act of 1973 (Pub. L. 93–112, 87 Stat. 394 (29 U.S.C. 794)), as amended by the Rehabilitation Act Amendments of 1974 (Pub. L. 93–516, 88 Stat. 1617); the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 (Pub. L. 95–602, 92 Stat. 2955); and the Rehabilitation Act Amendments of 1986 (Pub. L. 99–506, 100 Stat. 1810). As used in this regulation, section 504 applies only to programs or activities conducted by Executive agencies and not to federally assisted programs.

*Substantial impairment* means a significant loss of the integrity of finished

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## § 102.130

materials, design quality, or special character resulting from a permanent alteration.

### §§ 102.104–102.109 [Reserved]

#### § 102.110 Self-evaluation.

(a) The agency shall, by September 6, 1989, evaluate its current policies and practices, and the effects thereof, that do not or may not meet the requirements of this regulation and, to the extent modification of any such policies and practices is required, the agency shall proceed to make the necessary modifications.

(b) The agency shall provide an opportunity to interested persons, including individuals with handicaps or organizations representing individuals with handicaps, to participate in the self-evaluation process by submitting comments (both oral and written).

(c) The agency shall, for at least three years following completion of the self-evaluation, maintain on file and make available for public inspection:

- (1) A description of areas examined and any problems identified; and
- (2) A description of any modifications made.

#### § 102.111 Notice.

The agency shall make available to employees, applicants, participants, beneficiaries, and other interested persons such information regarding the provisions of this regulation and its applicability to the programs or activities conducted by the agency, and make such information available to them in such manner as the head of the agency finds necessary to apprise such persons of the protections against discrimination assured them by section 504 and this regulation.

### §§ 102.112–102.129 [Reserved]

#### § 102.130 General prohibitions against discrimination.

(a) No qualified individual with handicaps shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by the agency.

(b)(1) The agency, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of handicap—

(i) Deny a qualified individual with handicaps the opportunity to participate in or benefit from the aid, benefit, or service;

(ii) Afford a qualified individual with handicaps an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;

(iii) Provide a qualified individual with handicaps with an aid, benefit, or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;

(iv) Provide different or separate aid, benefits, or services to individuals with handicaps or to any class of individuals with handicaps than is provided to others unless such action is necessary to provide qualified individuals with handicaps with aid, benefits, or services that are as effective as those provided to others;

(v) Deny a qualified individual with handicaps the opportunity to participate as a member of planning or advisory boards;

(vi) Otherwise limit a qualified individual with handicaps in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the aid, benefit, or service.

(2) The agency may not deny a qualified individual with handicaps the opportunity to participate in programs or activities that are not separate or different, despite the existence of permissibly separate or different programs or activities.

(3) The agency may not, directly or through contractual or other arrangements, utilize criteria or methods of administration the purpose or effect of which would—

(i) Subject qualified individuals with handicaps to discrimination on the basis of handicap; or

(ii) Defeat or substantially impair accomplishment of the objectives of a program or activity with respect to individuals with handicaps.

## §§ 102.131–102.139

(4) The agency may not, in determining the site or location of a facility, make selections the purpose or effect of which would—

(i) Exclude individuals with handicaps from, deny them the benefits of, or otherwise subject them to discrimination under any program or activity conducted by the agency; or

(ii) Defeat or substantially impair the accomplishment of the objectives of a program or activity with respect to individuals with handicaps.

(5) The agency, in the selection of procurement contractors, may not use criteria that subject qualified individuals with handicaps to discrimination on the basis of handicap.

(6) The agency may not administer a licensing or certification program in a manner that subjects qualified individuals with handicaps to discrimination on the basis of handicap, nor may the agency establish requirements for the programs or activities of licensees or certified entities that subject qualified individuals with handicaps to discrimination on the basis of handicap. However, the programs or activities of entities that are licensed or certified by the agency are not, themselves, covered by this regulation.

(c) The exclusion of nonhandicapped persons from the benefits of a program limited by Federal statute or Executive order to individuals with handicaps or the exclusion of a specific class of individuals with handicaps from a program limited by Federal statute or Executive order to a different class of individuals with handicaps is not prohibited by this regulation.

(d) The agency shall administer programs and activities in the most integrated setting appropriate to the needs of qualified individuals with handicaps.

## §§ 102.131–102.139 [Reserved]

### § 102.140 Employment.

No qualified individual with handicaps shall, on the basis of handicap, be subject to discrimination in employment under any program or activity conducted by the agency. The definitions, requirements, and procedures of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791), as established by the Equal Employment Opportunity

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Commission in 29 CFR part 1613, shall apply to employment in federally conducted programs or activities.

## § 102.141–102.148 [Reserved]

### § 102.149 Program accessibility: Discrimination prohibited.

Except as otherwise provided in § 102.150, no qualified individual with handicaps shall, because the agency's facilities are inaccessible to or unusable by individuals with handicaps, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity conducted by the agency.

### § 102.150 Program accessibility: Existing facilities.

(a) *General.* The agency shall operate each program or activity so that the program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with handicaps. This paragraph does not—

(1) Necessarily require the agency to make each of its existing facilities accessible to and usable by individuals with handicaps;

(2) In the case of historic preservation programs, require the agency to take any action that would result in a substantial impairment of significant historic features of an historic property; or

(3) Require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the agency has the burden of proving that compliance with § 102.150(a) would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity, and must be accompanied by a written statement of the reasons

forreaching that conclusion. If an action would result in such an alteration or such burdens, the agency shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with handicaps receive the benefits and services of the program or activity.

(b) *Methods*—(1) *General*. The agency may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock, or any other methods that result in making its programs or activities readily accessible to and usable by individuals with handicaps. The agency is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. The agency, in making alterations to existing buildings, shall meet accessibility requirements to the extent compelled by the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151–4157), and any regulations implementing it. In choosing among available methods for meeting the requirements of this section, the agency shall give priority to those methods that offer programs and activities to qualified individuals with handicaps in the most integrated setting appropriate.

(2) *Historic preservation programs*. In meeting the requirements of § 102.150(a) in historic preservation programs, the agency shall give priority to methods that provide physical access to individuals with handicaps. In cases where a physical alteration to an historic property is not required because of § 102.150(a) (2) or (3), alternative methods of achieving program accessibility include—

(i) Using audio-visual materials and devices to depict those portions of an historic property that cannot otherwise be made accessible;

(ii) Assigning persons to guide individuals with handicaps into or through portions of historic properties that

cannot otherwise be made accessible; or

(iii) Adopting other innovative methods.

(c) *Time period for compliance*. The agency shall comply with the obligations established under this section by November 7, 1988, except that where structural changes in facilities are undertaken, such changes shall be made by September 6, 1991, but in any event as expeditiously as possible.

(d) *Transition plan*. In the event that structural changes to facilities will be undertaken to achieve program accessibility, the agency shall develop, by March 6, 1989, a transition plan setting forth the steps necessary to complete such changes. The agency shall provide an opportunity to interested persons, including individuals with handicaps or organizations representing individuals with handicaps, to participate in the development of the transition plan by submitting comments (both oral and written). A copy of the transition plan shall be made available for public inspection. The plan shall, at a minimum—

(1) Identify physical obstacles in the agency's facilities that limit the accessibility of its programs or activities to individuals with handicaps;

(2) Describe in detail the methods that will be used to make the facilities accessible;

(3) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and

(4) Indicate the official responsible for implementation of the plan.

#### **§ 102.151 Program accessibility: New construction and alterations.**

Each building or part of a building that is constructed or altered by, on behalf of, or for the use of the agency shall be designed, constructed, or altered so as to be readily accessible to and usable by individuals with handicaps. The definitions, requirements, and standards of the Architectural Barriers Act (42 U.S.C. 4151–4157), as established in 41 CFR 101–19.600 to 101–19.607,

apply to buildings covered by this section.

**§§ 102.152–102.159 [Reserved]**

**§ 102.160 Communications.**

(a) The agency shall take appropriate steps to ensure effective communication with applicants, participants, personnel of other Federal entities, and members of the public.

(1) The agency shall furnish appropriate auxiliary aids where necessary to afford an individual with handicaps an equal opportunity to participate in, and enjoy the benefits of, a program or activity conducted by the agency.

(i) In determining what type of auxiliary aid is necessary, the agency shall give primary consideration to the requests of the individual with handicaps.

(ii) The agency need not provide individually prescribed devices, readers for personal use or study, or other devices of a personal nature.

(2) Where the agency communicates with applicants and beneficiaries by telephone, telecommunication devices for deaf persons (TDD's) or equally effective telecommunication systems shall be used to communicate with persons with impaired hearing.

(b) The agency shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities.

(c) The agency shall provide signage at a primary entrance to each of its inaccessible facilities, directing users to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each primary entrance of an accessible facility.

(d) This section does not require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the agency has the burden of proving

that compliance with §102.160 would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action required to comply with this section would result in such an alteration or such burdens, the agency shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that, to the maximum extent possible, individuals with handicaps receive the benefits and services of the program or activity.

**§§ 102.161–102.169 [Reserved]**

**§ 102.170 Compliance procedures.**

(a) Except as provided in paragraph (b) of this section, this section applies to all allegations of discrimination on the basis of handicap in programs and activities conducted by the agency.

(b) The agency shall process complaints alleging violations of section 504 with respect to employment according to the procedures established by the Equal Employment Opportunity Commission in 29 CFR part 1613 pursuant to section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791).

(c) The Director, Facilities Management, Office of Administration, Executive Office of the President, shall be responsible for coordinating implementation of this section. Complaints may be sent to the Director at the following address: Room 486, Old Executive Office Building, 17th and Pennsylvania Ave. NW., Washington, DC 20500.

(d) The agency shall accept and investigate all complete complaints for which it has jurisdiction. All complete complaints must be filed within 180 days of the alleged act of discrimination. The agency may extend this time period for good cause.

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(e) If the agency receives a complaint over which it does not have jurisdiction, it shall promptly notify the complainant and shall make reasonable efforts to refer the complaint to the appropriate Government entity.

(f) The agency shall notify the Architectural and Transportation Barriers Compliance Board upon receipt of any complaint alleging that a building or facility that is subject to the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151–4157), is not readily accessible to and usable by individuals with handicaps.

(g) Within 180 days of the receipt of a complete complaint for which it has jurisdiction, the agency shall notify the complainant of the results of the investigation in a letter containing—

(1) Findings of fact and conclusions of law;

(2) A description of a remedy for each violation found; and

(3) A notice of the right to appeal.

(h) Appeals of the findings of fact and conclusions of law or remedies must be filed by the complainant within 90 days

of receipt from the agency of the letter required by §102.170(g). The agency may extend this time for good cause.

(i) Timely appeals shall be accepted and processed by the head of the agency.

(j) The head of the agency shall notify the complainant of the results of the appeal within 60 days of the receipt of the request. If the head of the agency determines that additional information is needed from the complainant, he or she shall have 60 days from the date of receipt of the additional information to make his or her determination on the appeal.

(k) The time limits cited in paragraphs (g) and (j) of this section may be extended with the permission of the Assistant Attorney General.

(l) The agency may delegate its authority for conducting complaint investigations to other Federal agencies, except that the authority for making the final determination may not be delegated to another agency.

§§ 102.171–102.999 [Reserved]





# Title 3 Finding Aids

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Apr. 10 .....	Memorandum: Designation of the Committee on Technology of the National Science and Technology Council To Carry Out Certain Requirements of the America COMPETES Act.	20523
Apr. 10 .....	Presidential Determination No. 2008–18: Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization Office.	22265
May 5 .....	Presidential Determination No. 2008–19: Proposed Agreement Between the Government of the United States of America and the Government of the Russian Federation for Cooperation in the Field of Peaceful Uses of Nuclear Energy.	27719
May 6 .....	Memorandum: Assignment of Reporting Function Under Subsection 1225(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007.	27717
May 7 .....	Notice: Continuation of the National Emergency Blocking Property of Certain Persons and Prohibiting the Export of Certain Goods to Syria.	26939
May 16 .....	Notice: Continuation of the National Emergency With Respect to Burma.	29035
May 20 .....	Notice: Continuation of the National Emergency With Respect to the Stabilization of Iraq.	29683
June 4 .....	Presidential Determination No. 2008–20: Suspension of Limitations Under the Jerusalem Embassy Act.	33289
June 6 .....	Notice: Continuation of the National Emergency With Respect to the Actions and Policies of Certain Members of the Government of Belarus and Other Persons Undermining Democratic Processes or Institutions in Belarus.	32981
June 18 .....	Notice: Continuation of the National Emergency With Respect to the Risk of Nuclear Proliferation Created by the Accumulation of Weapons-Usable Fissile Material in the Territory of the Russian Federation.	35335
June 20 .....	Presidential Determination No. 2008–21: Waiving the Prohibition on the Use of Economic Support Funds With Respect to Various Parties to the Rome Statute Establishing the International Criminal Court.	36403
June 20 .....	Presidential Determination No. 2008–22: Unexpected Urgent Refugee and Migration Needs Related to Africa, the Middle East, Asia, and the Western Hemisphere.	36405
June 24 .....	Notice: Continuation of the National Emergency With Respect to the Western Balkans.	36255
June 26 .....	Memorandum: Certification of Rescission of North Korea's Designation as a State Sponsor of Terrorism.	37351
July 16 .....	Notice: Continuation of the National Emergency With Respect to the Former Liberian Regime of Charles Taylor.	42255
July 23 .....	Notice: Continuation of Emergency Regarding Export Control Regulations.	43603
July 25 .....	Presidential Determination No. 2008–23: Emergency Fund Drawdown to Assist Zimbabwean Refugees in South Africa, Botswana, Mozambique, and Zambia.	54281

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July 30 .....	Notice: Continuation of the National Emergency With Respect To the Actions of Certain Persons To Undermine the Sovereignty of Lebanon Or Its Democratic Processes And Institutions.	44895
Aug. 15 ....	Presidential Determination No. 2008–24: Continuation of U.S. Drug Interdiction Assistance to the Government of Colombia.	54283
Aug. 28 ....	Presidential Determination No. 2008–25: Emergency Fund Drawdown to Assist Georgian Victims of Conflict.	54285
Aug. 28 ....	Notice: Continuation of the National Emergency With Respect To Certain Terrorist Attacks.	51211
Sept. 10 ....	Presidential Determination No. 2008–26: Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of India Concerning Peaceful Uses of Nuclear Energy.	54287
Sept. 12 ....	Presidential Determination No. 2008–27: Continuation of the Exercise of Certain Authorities Under the Trading With the Enemy Act.	54055
Sept. 15 ....	Presidential Determination No. 2008–28: Major Drug Transit or Major Illicit Drug Producing Countries for Fiscal Year 2009.	54927
Sept. 18 ....	Memorandum: Designation of Officers of the Council on Environmental Quality to Act as Chairman of the Council on Environmental Quality.	54487
Sept. 18 ....	Notice: Continuation of the National Emergency With Respect to Persons Who Commit, Threaten to Commit, or Support Terrorism.	54489
Sept. 25 ....	Memorandum: Assignment of Function Under Section 203(e)(2)(A) of the Andean Trade Preference Act, As Amended.	56701
Sept. 30 ....	Presidential Determination No. 2008–29: Fiscal Year 2009 Refugee Admissions Numbers And Authorizations of In-country Refugee Status Pursuant To Sections 207 And 101(A)(42), Respectively, of the Immigration And Nationality Act, And Determination Pursuant To Section 2(B)(2) of the Migration And Refugee Assistance Act, As Amended.	58865
Oct. 3 .....	Memorandum: Designation of Officers of the Office of the Director of National Intelligence to Act as Director of National Intelligence.	58869
Oct. 3 .....	Presidential Determination No. 2009–1: Unexpected Urgent Humanitarian Needs Related to Pakistan, Afghanistan, and Georgia.	60935
Oct. 6 .....	Presidential Determination No. 2009–2: Waiver of Restriction on Providing Funds to the Palestinian Authority.	60937
Oct. 9 .....	Presidential Determination No. 2009–3: Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization Office.	62847
Oct. 15 ....	Presidential Determination No. 2009–4: Provision of U.S. Drug Interdiction Assistance to the Government of Brazil.	62849
Oct. 16 ....	Notice: Continuation of the National Emergency With Respect To Certain Terrorist Attacks.	62433
Oct. 17 ....	Memorandum: Designation of Officers of the Social Security Administration to Act as the Commissioner of Social Security.	62845

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Oct. 17 .....	Presidential Determination No. 2009–5: Presidential Determination With Respect To Foreign Governments’ Efforts Regarding Trafficking In Persons.	63839
Oct. 20 .....	Presidential Determination No. 2009–6: Certifications Pursuant to the United States-India Nuclear Cooperation Approval and Nonproliferation Enhancement Act (Public Law 110–369).	63841
Oct. 22 .....	Notice: Continuation of the National Emergency With Respect to the Situation in or in Relation to the Democratic Republic of the Congo.	63619
Oct. 30 .....	Notice: Continuation of the National Emergency with Respect to the Situation in or in Relation to Sudan.	65239
Oct. 31 .....	Memorandum: Assignment of Functions Under Section 1265 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181).	68289
Nov. 10 ....	Notice: Continuation of the National Emergency with Respect to Iran.	67357
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Nov. 25 ....	Memorandum: Provision of Marine War Risk Insurance Coverage.	72685
Dec. 4 .....	Presidential Determination No. 2009–8: Suspension of Limitations Under the Jerusalem Embassy Act.	76503
Dec. 9 .....	Memorandum: Designation of Officers of the Pension Benefit Guaranty Corporation To Act As Director of the Pension Benefit Guaranty Corporation.	75533
Dec. 9 .....	Memorandum: Designation of Officers of the United States Agency for International Development To Act As Administrator.	75535
Dec. 18 .....	Presidential Determination No. 2009–9: Unexpected Urgent Humanitarian Needs Related to the Democratic Republic of Congo, Rwanda, and Uganda.	80293
Dec. 23 .....	Memorandum: Provision of Aviation Insurance Coverage for Commercial Air Carrier Service in Domestic and International Operations.	79589

**Table 4—PRESIDENTIAL DOCUMENTS AFFECTED  
DURING 2008**

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**Editorial note:** The following abbreviations are used in this table:

EO .....	Executive Order
FR .....	Federal Register
PLO .....	Public Land Order (43 CFR, Appendix to Chapter II)
Proc. ....	Proclamation
Pub. L. ....	Public Law
Stat. ....	U.S. Statutes at Large
WCPD .....	Weekly Compilation of Presidential Documents

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**Proclamations**

<i>Date or Number</i>	<i>Comment</i>
2914 .....	See Proc. 8271
6641 .....	See Proc. 8323
6867 .....	See Notice of Feb. 6, p. 274
7011 .....	See Proc. 8323
7463 .....	See Notice of Aug. 28, p. 293
7746 .....	See Procs. 8228, 8334
7747 .....	See Proc. 8228
7757 .....	See Notice of Feb. 6, p. 274
7826 .....	See Proc. 8334
7857 .....	See Proc. 8334
7912 .....	See Proc. 8272
7987 .....	See Proc. 8228
8095 .....	See Proc. 8331
8097 .....	See Procs. 8228, 8240
8114 .....	See Procs. 8240, 8323
8157 .....	See Procs. 8323, 8330
8213 .....	See Procs. 8272, 8323
8214 .....	See Proc. 8228
8240 .....	See Procs. 8272, 8323
8272 .....	See Proc. 8296

**Executive Orders**

<i>Date or Number</i>	<i>Comment</i>
9397 .....	Amended by EO 13478

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<i>Date or Number</i>	<i>Comment</i>
9981 .....	See Proc. 8275
10450 .....	See EO 13467
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10865 .....	See EO 13467
11030 .....	See EO 13472
11582 .....	See EO 13482
11651 .....	See Procs. 8228, 8332
11858 .....	Amended by EO 13456
12036 .....	See EO 13470
12139 .....	Amended by EO 13475
12170 .....	See Notices of Mar. 11, p. 278; Nov. 10, p. 312
12171 .....	Amended by EOs 13467, 13480
12302 .....	See Proc. 8240
12333 .....	Amended by EO 13470; See EOs 13462, 13467
12473 .....	See EO 13468
12829 .....	See EO 13467
12863 .....	Revoked by EO 13462
12919 .....	Revoked in part by EO 13456
12938 .....	See Notice of Nov. 10, p. 313
12947 .....	See Notice of Jan. 18, p. 267
12949 .....	Amended by EO 13475
12957 .....	See Notice of Mar. 11, p. 278
12958 .....	See EOs 13462, 13467, 13470
12959 .....	See Notice of Mar. 11, p. 278
12962 .....	See Proc. 8295; Amended by EO 13474
12968 .....	Amended by EO 13467; See EOs 13462, 13467
12978 .....	See Notice of Oct. 16, p. 307
12989 .....	Amended by EO 13465
13047 .....	See EO 13464; Notice of May 16, p. 284
13059 .....	See Notice of Mar. 11, p. 278
13067 .....	See Notice of Oct. 30, p. 311
13094 .....	See Notice of Nov. 10, p. 313
13099 .....	See Notice of Jan. 18, p. 267
13159 .....	See Notice of June 18, p. 287
13176 .....	Superseded by EO 13476
13219 .....	See Notice of June 24, p. 289
13222 .....	Continued by Memorandum of June 26, p. 289; See Notice of July 23, p. 291
13224 .....	See Notice of Sept. 18, p. 301
13250 .....	Revoked by EO 13461
13285 .....	Amended by EO 13471
13288 .....	See EO 13469; Notice of Mar. 4, p. 277
13303 .....	See Notice of May 20, p. 285
13304 .....	See Notice of June 24, p. 289

**Table 4—Presidential Documents Affected****Executive Orders—Continued**

<i>Date or Number</i>	<i>Comment</i>
13310 .....	See EO 13464; Notice of May 16, p. 284
13315 .....	See Notice of May 20, p. 285
13338 .....	Amended by EO 13460; See Notice of May 7, p. 283
13341 .....	See Notice of July 30, p. 292
13348 .....	See Notice of July 16, p. 290
13350 .....	See Notice of May 20, p. 285
13354 .....	See EO 13470
13355 .....	See EO 13470
13364 .....	See Notice of May 20, p. 285
13381 .....	Revoked by EO 13467; See EO 13467
13382 .....	See Notice of Nov. 10, p. 313
13389 .....	Amended by EO 13463
13390 .....	Amended by EO 13463
13391 .....	See EO 13469; Notice of Mar. 4, p. 277
13396 .....	See Notice of Feb. 5, p. 273
13399 .....	See EO 13460; Notice of May 7, p. 283
13400 .....	See Notice of Oct. 30, p. 311
13405 .....	See Notice of June 6, p. 286
13412 .....	See Notice of Oct. 30, p. 311
13413 .....	See Notice of Oct. 22, p. 311
13419 .....	See EO 13479
13420 .....	Superseded by EO 13454
13438 .....	See Notice of May 20, p. 285
13448 .....	See EO 13464; Notice of May 16, p. 284
13454 .....	Superseded by EO 13483
13460 .....	See Notice of May 7, p. 283
13462 .....	See EO 13470
13464 .....	See Notice of May 16, p. 284
13467 .....	See EO 13476
13474 .....	See Proc. 8295

**Other Presidential Documents**

<i>Date or Number</i>	<i>Comment</i>
Memorandum of March 19, 2002 .....	See EO 13461
Memorandum of July 10, 2002 .....	Superseded by Memorandum of Dec. 9, p. 316
Memorandum of December 20, 2005 ....	Superseded by Memorandum of Oct. 3, p. 304
Memorandum of December 8, 2006 .....	Superseded by EO 13481
Presidential Determination No. 2007–32.	Rescinded by Proc. 8271; See Presidential Determination No. 08–27, p. 296





## Table 5—STATUTES CITED AS AUTHORITY FOR PRESIDENTIAL DOCUMENTS

**Editorial note:** Statutes which were cited as authority for the issuance of Presidential documents contained in this volume are listed under one of these headings. For authority cites for hortatory proclamations, see the text of each proclamation:

**United States Code**  
**United States Statutes at Large**  
**Public Laws**  
**Short Title of Act**

Citations have been set forth in the style in which they appear in the documents. Since the form of citations varies from document to document, users of this table should search under all headings for pertinent references.

### UNITED STATES CODE

<i>U.S. Code Citation</i>	<i>Presidential Document</i>
3 U.S.C. 301 .....	Procs. 8228, 8272, 8294, 8296, 8323, 8332, 8334; EOs 13456, 13458, 13460, 13464, 13465, 13466, 13469; Presidential Determination Nos. 08–9, p. 268; 08–10, p. 273; 08–14, p. 278; 08–22, p. 288; 08–23, p. 291; 08–25, p. 294; 09–1, p. 305; 09–9, p. 318; Memorandums of Mar. 28, p. 281; Feb. 14, p. 276; May 6, p. 283; June 26, p. 289; Sept. 25, p. 302; Oct. 31, p. 312; Nov. 25, p. 314
5 U.S.C. 3301 and 3302.	EO 13473
5 U.S.C. 3345 <i>et seq.</i> ...	EOs 13461, 13481; Memorandums of Sept. 18, p. 301; Oct. 3, p. 304; Oct. 17, p. 308; Dec. 9, p. 315; Dec. 9, p. 316
5 U.S.C. 7103(b)(1) .....	EO 13480
5 U.S.C. 7301 .....	EO 13476
8 U.S.C. 1157 .....	Presidential Determination No. 08–29, p. 302
10 U.S.C. 801–946 .....	EO 13468
16 U.S.C. 431 .....	Proc. 8327
19 U.S.C. 2461–67, 2483.	Procs. 8240, 8330
19 U.S.C. 2905(a) .....	Presidential Determination No. 08–17, p. 280
19 U.S.C. 3703 .....	Proc. 8330
22 U.S.C. 2601 and 2603.	Presidential Determination Nos. 08–10, p. 273; 08–14, p. 278; 08–22, p. 288; 08–23, p. 291; 08–25, p. 294; 09–1, p. 305; 09–9, p. 318
22 U.S.C. 2291–4 .....	Presidential Determination Nos. 08–24, p. 293; 09–4, p. 307
31 U.S.C. 1105(h)(1) ...	Memorandum of Feb. 14, p. 276

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<i>U.S. Code Citation</i>	<i>Presidential Document</i>
36 U.S.C. 109 .....	Proc. 8270
36 U.S.C. 131 .....	Proc. 8256
36 U.S.C. 143 .....	Proc. 8329
40 U.S.C. 121(a) .....	EO 13465
42 U.S.C. 2153(b) .....	Presidential Determination Nos. 08–19, p. 282; 08–26, p. 294; 09–7, p. 314
42 U.S.C. 5121–5206 ..	EO 13463
46 U.S.C. 539 .....	Memorandum of Nov. 25, p. 314
49 U.S.C. 44302 <i>et seq.</i>	Memorandum of Dec. 23, p. 318
50 U.S.C. 1601 <i>et seq.</i>	EOs 13460, 13464, 13466, 13469
50 U.S.C. 1622(d) .....	Notices of Jan. 18, p. 267; Feb. 5, p. 273; Feb. 6, p. 274; Mar. 4, p. 277; Mar. 11, p. 278; May 7, p. 283; May 16, p. 284; May 20, p. 285; June 6, p. 286; June 18, p. 287; June 24, p. 289; July 16, p. 290; July 23, p. 291; July 30, p. 292; Aug. 28, p. 293; Sept. 18, p. 301; Oct. 16, p. 307; Oct. 22, p. 311; Oct. 30, p. 311; Nov. 10, p. 312; Nov. 10, p. 313
50 U.S.C. 1701 <i>et seq.</i>	EOs 13460, 13464, 13466, 13469
50 U.S.C. 1701 note ...	EO 13464
50 U.S.C. 1801 <i>et seq.</i>	EO 13475
50 U.S.C. App. 5(b) note.	Proc. 8271
50 U.S.C. App. 2170 ..	EO 13456
50 U.S.C. App. 2405(j)	Memorandum of June 26, p. 289

#### UNITED STATES STATUTES AT LARGE

<i>Title</i>	
34 Stat. 225 .....	Proc. 8327
73 Stat. 212 .....	Proc. 8274
91 Stat. 1625 .....	Proc. 8271

#### PUBLIC LAWS

<i>Law Number</i>	<i>Presidential Document</i>
95–223 .....	Presidential Determination No. 08–27, p. 296
103–362 .....	Proc. 8277
104–45 .....	Presidential Determination Nos. 08–20, p. 286; 09–8, p. 315
106–386 .....	Presidential Determination No. 09–5, p. 309
107–57 .....	Presidential Determination No. 08–16, p. 279
107–228 .....	Presidential Determination Nos. 08–11, p. 275; 08–12, p. 275; 08–28, p. 297
108–458 .....	EOs 13470, 13476
109–102 .....	Presidential Determination No. 08–21, p. 288
109–401 .....	EO 13458; Presidential Determination No. 08–26, p. 294
110–5 .....	Presidential Determination No. 08–21, p. 288
110–69 .....	Memorandum of Apr. 10, p. 281
110–161 .....	Presidential Determination Nos. 08–13, p. 276; 08–18, p. 282; 09–2, p. 306; 09–3, p. 306
110–252 .....	Presidential Determination No. 09–2, p. 306
110–261 .....	EO 13475
110–329 .....	Presidential Determination No. 09–3, p. 306

**Table 5—Statutes Cited As Authority**

<b>SHORT TITLE OF ACT</b>	
<i>Title</i>	<i>Presidential Document</i>
African Growth and Opportunity Act.	Procs. 8240, 8272, 8323
Andean Trade Preference Act .....	Proc. 8323; Memorandum of Sept. 25, p. 302
Arms Export Control Act .....	Presidential Determination No. 08–15, p. 279
Burmese Freedom and Democracy Act.	Proc. 8294
Foreign Assistance Act of 1961 ....	Presidential Determination No. 08–15, p. 279
Dominican Republic-Central America-United States Free Trade Agreement Implementation Act.	Procs. 8228, 8272, 8323, 8331
Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008.	Proc. 8296
Junta's Anti-Democratic Efforts Act of 2008.	Proc. 8294
Migration and Refugee Assistance Act of 1962.	Presidential Determination No. 08–22, p. 288
National Defense Authorization Act for Fiscal Year 2008.	Presidential Determination No. 08–9, p. 268
North American Free Trade Agreement Implementation Act.	Proc. 8323
Omnibus Trade and Competitiveness Act of 1988.	Proc. 8228
Trade Act of 1974 .....	Procs. 8228, 8272, 8294, 8323, 8331, 8332, 8334
United States-Australia Free Trade Agreement Implementation Act.	Proc. 8334
United States-Chile Free Trade Agreement Implementation Act.	Proc. 8334
United States-India Nuclear Cooperation Approval and Non-proliferation Enhancement Act.	Presidential Determination No. 09–6, p. 310
United States-Israel Free Trade Area Implementation Act of 1985.	Proc. 8334
United States-Oman Free Trade Agreement Implementation Act.	Proc. 8332
North American Free Trade Agreement Implementation Act.	Proc. 8323



## LIST OF CFR SECTIONS AFFECTED

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**EDITORIAL NOTE:** All changes in this volume of the Code of Federal Regulations which were made by documents published in the **Federal Register** since January 1, 2001, are enumerated in the following list. Entries indicate the nature of the changes effected. Page numbers refer to **Federal Register** pages. The user should consult the entries for chapters and parts as well as sections for revisions.

For the period before January 1, 2001, see the “List of CFR Sections Affected, 1949–1963, 1964–1972, 1973–1985, and 1986–2000,” published in 11 separate volumes.

Presidential documents affected during 2008 are set forth in Table 4 on page 343.

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### **2001–2008**

#### **3 CFR**

(No regulations issued)



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The two finding aids on the following pages, the “Table of CFR Titles and Chapters” and the “Alphabetical List of Agencies Appearing in the CFR” apply to all 50 titles of the *Code of Federal Regulations*. Reference aids specific to this volume appear in the section entitled “Title 3 Finding Aids,” found on page 331.



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